THE WILMINGTON JOURNAL.

ANGELHARD & PRICE, Proprietors,

To whom all Letters on Business must be addressed

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Wilmington Journal.

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TERMS OF ADVERTISING.

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Special Notices will be charged $2 00 per squar for each and every insertion.

All Obituaries and private publications of every charac ter, are charged as advertisements.

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METHODIST EPISCOPAL CHURCH SOUTH.

Appointments—Wilmington District—First Round.

Smithville and Brunswick, at Bethel, Dec. 15 & 16.
Wilmington—Fifth Street, " 22 & 23.
Whiteville, at Whiteville, " 29 & 30.
Topsail, at Union, Jan. 5 & 6.
Elizabeth, at Elizabethtown, " 12 & 13.
Wilmington—Front Street, " 19 & 20.
Onslow, at Richlands, " 26 & 27.
Cokesburg, at Bethany, Feb. 2 & 3.
Clinton, at McGee's, " 16 & 17.
Duplin, at Magnolia, " 23 & 24.
Bladen, at Centre, March 2 & 3.

The District Stewards' meeting will be held at the Parsonage, in Wilmington, January 19th, 1867, at 9 o'clock, A. M. The District Stewards are, W. H. Drew, Samuel W. Smith, W. A. Savage, W. J. Barker, T. L. Pugh, Rev. Levi Culbreth, D. S. Sanders, E. H. Costin, D. W. Carr, Dr. W. E. Freeman and W. S. G. Andrews.

A full attendance is earnestly desired.

L. S. BURKHEAD, P. E.

Appointments for Roanoke District, N.C. Conference.

Warren, at Warrenton, Dec. 29 & 30
Wilson, Jan'y. 5 & 6
Tawboro', at Tawboro', " 12 & 13
Roanoke, at Ebenezer; " 19 & 20
Williamston, at Williamston, " 26 & 27
Plymouth, at Plymouth, Feb'y. 2 & 3
Washington, at Washington, " 9 & 10
Bath, at Woodstock, " 16 & 17
Matamuskeet, at Swan Quarter, " 23 & 24
Hatteras, at Hatteras, March 2 & 2

The District Stewards meeting will be held at the Church in Tarboro', on Saturday the 12th July. The Stewards are Messrs. H. Palmer, E. A. Thorn, Marcus Battle, R. E. Weathersbee. Chas. Latham. John Arthur, Jas. Clark and Dr. S. A. Long. I do not know who are the Stewards for Wilson and Hatteras. It is *important* that all should be present.

As the returns from the Annual Conference thus far indicate that the "plan for the introduction of Lay Representation," proposed by the late General Conference, will soon be officially announced as the law of the Church the district Stewards in anticipation of such announcement will elect four Delegates to our next Annual Conference, in conformity with the provisions of said law.

My Post Office, for the present, is Tarboro', N. C.

M. S. MORAN, P. E.

S. T.--1860--X.

PERSONS OF SEDENTARY HABITS TROUbled with weakness, lassitude, palpitation of the heart, lack of appetite, distress after eating, topid liver, constipation, &c., deserve to suffer if they will not try the celebrated

PLANTATION BITTERS,

which are now recommended by the highest medical authorities and warranted to produce an *immediate* beneficial effect. They are exceedingly agreeable, perfectly pure, and must supercede all other tonics where a healthy, gentle stimulant is required.

They purify, strengthen and invigorate.
They create a healthy appetite.
They are an antidote to change of water and diet.
They overcome effects of dissipation and late hours.
They strengthen the system and enliven the mind.
They prevent miasmatic and intermittent fever.
They purify the breath and acidity of the stomach.
They cure Dyspepsia and Constipation.
They cure Diarrhœa and Cholera Morbus.
They cure Liver Complaint and Nervous Headache.

They make the weak strong, the languid brilliant, and are exhausted nature's great restorer. They are composed of the celebrated Calisaya bark, wintergreen, sassafras, roots and herbs, all preserved in perfectly pure St. Croix rum. For particulars see circulars and testimonials around each bottle.

Beware of impostors. Examine every bottle. See that it has an unmutilated metal cap over the top of each bottle, and green label for exportation, around each neck. See descriptive circular around each bottle.

P. H. DRAKE & CO.,
New York.
April 19 12-1y

THE
LARGEST COLLECTION OF SEEDS
Ever Offered in America.

Full and explicit directions for cultivation are given in our new

AMATEUR CULTIVATOR'S GUIDE
TO THE
KITCHEN AND FLOWER GARDEN,
Now ready.

A **DESCRIPTIVE work of 130 pages,** fully illustrated with a beautiful colored plate and 100 engravings, containing a list of over 2,500 varieties of Flower and Vegetable Seeds; also, 150 varieties of the choicest French Hybrid Gladiolus. All the novelties, both of the Flower and Vegetable, for 1867, will be found described in the above work. Mailed free to any address on receipt of 25 cents. WASHBURN & CO.
Seed Merchants, Horticultural Hall, Boston, Mass.

Lilies, Tuberoses, Tigridias, Gladiolus, Anemones, Ranunculus, &c., &c., for spring planting now ready.
feb. 15 2-4tw*

ADMINISTRATRIX NOTICE,

THE undersigned having, at December Term, 1866, of the Court of Pleas and Quarter Sessions for New Hanover county, qualified as Administratrix upon the estate of Wilie P. Keith, deceased, hereby gives notice to all persons indebted to said estate to come forward and make payment; and all persons having claims against the same are hereby notified to present them duly authenticated within the time prescribed by law, otherwise this notice will be pleaded in bar of their recovery.

FRANCES KEITH, Adm'x.
January 9th, 1867. 112-3t—1-3w*

S. D. WALLACE. J. B. SOUTHERLAND.

WALLACE & SOUTHERLAND,

GENERAL COMMISSION MERCHANTS,
OFFICE NO. 57 NORTH WATER STREET,
Wharves & Warehouses foot of Walnut St.,
WILMINGTON, N. C.

☞ Will give prompt personal attention to all consignments of Naval Stores, Cotton, Spirits Turpentine, Rosin, Tar, Provisions, &c., &c., either for sale or shipment. Also, to forwarding Merchandize, &c.
Feb 8. w-1-tf

E. TURLINGTON. W. M. MONROE

TURLINGTON & MONROE,
INSPECTORS OF TIMBER AND LUMBER,
WILMINGTON, N. C.

PROMPT personal attention given to all business intrusted to their care.
Oct. 4 35-wtf

BENNETT, VANPELT & CO.,
33 WHITEHALL STREET, NEW YORK.

SHIPMENTS OF COTTON, NAVAL STORES, Provisions, &c., will be forwarded to us by Messrs. Wallace & Southerland, of Wilmington, who will pay revenue tax and other charges. All goods covered by insurance, with or without advices.
Feb. 15 2-tf

GOODWIN & CO.

THE subscribers hereby give notice to their friends and the public generally, that they have formed a Copartnership under the name and style of GOODWIN & CO., for the purpose of doing a General Commission and Forwarding business in Wilmington, N. C., on and after the 19th of April next.

Orders solicited, and prompt personal attention given to all business entrusted to their care.

C. GOODWIN,
H. D. BROWN.
feb. 22 3-2m

All Kinds of Blanks

FOR SALE

AT THE

JOURNAL OFFICE.

A hotel owner in Northampton, advertises for a "partial landlord." How would a one-armed soldier do, asks the *Commercial Bulletin.*

From the Enquirer and Sentinel.

THE BOY IN THE WOOD.

FROM THE GERMAN OF EMANUEL GEIBEL.

[*Dedicated to W. W. Valentine, Artist.*]

BY JAMES D. BLACKWELL.

A youth rode forth into the fields,—
"Adieu, my love," he said;
"And I will be with thee again
Ere morning's blushing red."

And as he rode he gaily sang
From out his inmost breast,
A song of love; of fond desire
To that fair maid addrest.

But as he came to the green wood,
Where sweet the roses grew,
The dryad of the grove appeared
Resplendent to his view.

Her eye was soft as lunar beam,
Her cheeks as roses fair,
Her locks like gold of orient morn
When breathes the vernal air.

"Stay yet awhile, thou beauteous boy,
Ah, whither dost thou ride?
Rein up thy graceful, slender steed,
And in my bower abide.

"The air is murmuring through the tops
Of waving linden trees:
Here we may mingle kisses sweet
Where flowers perfume the breeze."

The youth replied, "Oh tempt me not,—
Repose I seek not now,
I have at home a lovely maid,
As beautiful as thou.

"To-morrow I will seek her cot,
And there with joy will spring,
For then our happy wedding day
Shall promised raptures bring."

"Although thou hast at home, a maid,
That may in beauty vie
With me,—thou shalt not her embrace,
For tears shall dim thine eye."

The dryad spoke; and whirled the band
She wore around her hair
With her white hand. The startled steed
Wild plunging threw him there.

All o'er his cheek a pallor spread,
The plaintive wood-bird rang
Ah, sorrowful! Ah, sorrowful,—
The echoing forest rang!

So when with morning's early light
Her lover did not come;
Uneasy was the maiden's heart,
And sad she left her home.

Then went she forth into the wood,
Her absent love to seek;
All downcast was her saddened eye,
Her failing limbs were weak.

And all the little flowers looked sad,
The birdling's voice sang low,
In muffled notes as though 'twere hushed
By sympathetic woe.

She found him there beneath the flowers
That breathed their fragrant breath
Unto the air. Her true love dead;
Yet beautiful in death.

She stooped and kissed him, as he lay,
Beneath the sweet red flowers;
And tears, like those of April day,
Bedewed the earth in showers.

And thus upon her wedding day,
Instead of love and joy,
Lo, there were grief and flowing tears,
For that poor, perished boy!

"THE SEA QUEEN'S TOILET."

BY EMMA LAZARUS.

Under the sea, far under the sea,
In the emerald depths of the glorious sea.
Sits the Queen of the Mermaids, laughing and singing.
The pearly drops out of her golden hair wringing,
Weaving them all
In a coronal,
For the King of the Ocean, her husband to be.

Singing she weaves,
And her fair bosom heaves
With laughter and song, and music and mirth,
Happier far than being on earth.
There doth she sit on her emerald throne,
Alone, all alone,
Weaving her lord a coronal bright
Of the drops from her hair, so pearly and white.

She wearies of solitude, laying aside
The wreath to be offered to husband from bride.
And now doth she call,
From her inner hall,
Her mermaids and men,
From palace and halls beyond human ken;
And this joyous band,
Maids and youths, hand in hand,
At the feet of their queen throw them down one by one;
Sure never was seen such a sight 'neath the sun.

The maidens all wear,
In their long, waving hair.
Fairest drops of pure amber, and opals, and pearls,
That peep forth in beauty from out their long curls.
And some have blue eyes
As pure as the skies;
And some have deep black, or voluptuous brown
That low on the gem-scattered ground are cast down.
And their delicate lips are so fair and so red,
They seem as if stolen from some coral bed.

And the lovely Undines,
And the sweet river queens,
Are so dazzlingly fair
As they bow themselves there,
That even they seem
Too bright for a dream.
But the Queen of the Mermaids is handsomer far
Than the Undines
Or Queens,
All bright as they are,
And now they all deck
With jewels her neck;
Here drops of pure amber
In her golden curls clamber;
There a diamond rare,
On her shoulder so fair;
And her arms and her dresses,
And her long golden tresses,
All glitter and shine
With the spoils of the mine.

But the topaz, so fair,
That they place in her hair,
Is not half as bright
As her curls in the light
Of the golden—green sea.
And the coral they haste
To put in her waist
Is now as red or as small
As her lips when they call
To her maids in the hall;
And the pearls that they wreathe
Round her fair little head
Are eclipsed by her teeth,
With their frame of red.

A POME.

TO BE READ EITHER WAY.

I always did intend
Single my life to spend,
It much delighteth me
To live from woman free,
It's sure a happy life
To live without a wife,
A female to my mind,
I ne'er expect to find,
A bachelor to live
My mind I freely give,

To take to me a wife,
Would grieve my very life
To think upon a bride,
I can't be satisfied.
'Tis woman is the thing
Such trouble on us bring.
The joy I can't express
So great is singleness,
I never could agree,
A married man to be.

Salt in Chimneys.

The Boston *Transcript* recommends that in building chimneys bricklayers should put a quantity of salt into the mortar with which the intercourses of brick are to be laid. The effect will be that there will never be any accomulation of soot in the chimney, for the reason that the salt in the portion of mortar which is exposed absorbs moisture every damp day. The soot, thus becoming damp, falls down into the fireplace.

The Government has paid $100,000 in gold for a lot three hundred feet square in San Francisco, as a site for the United States branch mint. The proposed building will cost $600,000.

From the Raleigh Sentinel.

NORTH CAROLINA LEGISLATURE.

SENATE.

EVENING SESSION.
TUESDAY, Feb. 19, 1867.

A message was received from the House, transmitting sundry engrossed bills which were referred to appropriate committees.

On motion of Mr. Avery, the rules were suspended, and the bill authorizing the President of the North Carolina Railroad Company to borrow money on the faith and credit of the State was taken up, and Mr. Avery offered a bill as a substitute for the same, which was adopted, and the bill passed its several readings under a suspension of the rules, and was ordered to be engrossed forthwith and be transmitted to the House.

Mr. Speed, by leave, introduced a resolution authorizing and empowering the committee on the Insane Asylum to administer oaths and send for persons and papers, and employ a clerk to be paid suitable compensation for his services. Adopted.

A message was received from the House, transmitting a bill as a substitute for the Homestead bill which passed the Senate some time since. After a brief consideration, the question arising on concurring, on motion of Mr. Berry, the ayes and nays were called, and the Senate refused to concur by the following vote, ayes 12, nays 27.

On motion of Mr. Speed, the Senate adjourned.

HOUSE OF COMMONS.

EVENING SESSION.
TUESDAY, Feb. 19, 1867.

The following engrossed bills from the Senate had their first reading in the House, viz:

To establish a State Penitentiary; to incorporate the Wilmington Hook and Ladder Company; to incorporate Kittrell's Springs Female College; to incorporate Mecklenburg Female College; to incorporate Cleaveland Mineral Springs Company; to set apart and make perpetual McIntyre Cemetery, in Cumberland county; and to incorporate the N. C. Dental Association.

UNFINISHED BUSINESS.

The House resumed the consideration of the bil to amend the charter of the Fayetteville and Florence Railroad Company, on its second reading.—The bill was rejected, and its further consideration postponed until 11 o'clock to-morrow.

Mr. Cowan, from the committee on Financ, reported a bill to provide for the payment of the interest on the State debt.

The bill and report were ordered to be printed, and made the special order for 8 o'clock, P. M., to-morrow.

Mr. Harper, for the Finance committee, reported back, adversely, "resolutions on the condition of the people." (These resolutions, introduced by Mr. Granberry, declare present taxation, with a view to paying interest on the public debt, impolitic, suicidal, &c.

SPECIAL ORDER.

The House proceeded to consider a bill for the relief of Executors, Administrators, &c.

The bill, after discussion and amendment, passed second and third readings.

A bill to incorporate the town of Columbia, in the county of Tyrrell, passed its several readings, and the House adjourned.

SENATE.

WEDNESDAY MORNING, Feb. 20, 1867.

Mr. Wilson presented a memorial from citizens of Rowan county, stating that they are suffering greatly from the practice too much now pursued by irresponsible persons, taking possession of premises without consent of the owners, and refusing to give possession to the persons legally entitled to the same, and thereby subjecting the holders of real estate to an expense of $15 or $20 to oust such unlawful intruders, praying the General Assembly to pass some law to remedy the same. Referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Avery, from the committee on Internal Improvements, a bill to aid the Williamston and Tarboro' Railroad Company, reported favorably.

By the same, a bill to charter the Oxford branch of the Raleigh and Gaston Railroad, reported adversely.

Mr. Love, from the committee on Internal Improvements, a bill to incorporate the Greensboro' and Dan River Railroad Company, reported favorably.

RESOLUTIONS AND BILLS.

Mr. Leach, a resolution instructing the Judiciary committee to inquire whether the Courts of Equity have not now the power to enter judgments on motion, on all bonds or notes held for sale of property or other debts due in said County, notwithstanding the passage of the Stay Law; if so, in the opinion of said committee, that they be instructed to report a bill corresponding with the Stay Law, applying also to said Courts of Equity. Adopted.

Mr. Gash, a bill to repeal chapter 70 of the Revised Code, entitled Militia. Referred to the committee on Military Affairs.

Mr. Jones, a bill to amend an act to establish Work Houses in the several counties of the State. Referred to the Judiciary committee.

Mr. Speed, the following resolution:

Whereas, Justice, humanity and the plighted faith and honor of North Carolina demand, at the hands of the people, that suitable provision be made according to the nature and extent of their wounds and disabilities, for the officers and soldiers of the late war, and for the widows and children of those who were killed or died in the service.

Be it therefore resolved by the General Assembly of the State of North Carolina, That the Governor of the State be and is hereby authorized and required to appoint one or more committees, or persons, in each county in the State whose duty it shall be to ascertain and report to him the name, age and occupation of any wounded or disabled officer or soldier of the late war, resident of the county; the nature of the wound and the disability produced thereby. Also the name of any widow of an officer or soldier who was killed or died in the service, in the late war; the number and age of the children of each officer or soldier killed, or who died in the service, which report the Governor shall cause to be collated, digested and classified and reported to the General Assembly at its next session, to the end that equal and impartial justice may be done to each. Read first time and filed.

On motion of Mr. Cowles, the rules were suspended and the bill authorizing the Western Railroad Company to extend their road across the North Carolina Railroad to the Virginia line near Mt. Airy, was taken up, and ordered to be printed and made the special order for Friday.

UNFINISHED BUSINESS.

Bill authorizing the President and Directors of the Western North Carolina Railroad Company to put said road under contract, was taken up; Mr. Battle withdrew his motion to lay on the table.—Mr. Love offered the following amendment, which was concurred in, and on motion of Mr. Wilson, it was ordered to be printed and made the special order for Friday night at 8 o'clock.

On motion of Mr. Hall, the rules were suspended and the bill to amend the charter of the Wilmington Railway Bridge Company, was taken up amended and passed its several readings.

On motion of Mr. Moore, the rules were suspended, and the bill granting aid to the Williamston and Tarboro' Railroad Company, was taken up, passed its several readings, and was ordered to be engrossed.

On motion of Mr. Jones, the rules were suspended, and the vote by which the bill securing to widows their common law rights of dower, was rejected, was reconsidered, and on motion of Mr. Leach, it was recommitted to the committee on the Judiciary.

SPECIAL ORDER.

Bill to amend the Constitution of the State was taken up, an amendment was offered, and after some discussion, on motion of Mr. Kelley, the whole matter was laid on the table.

UNFINISHED BUSINESS.

A resolution providing for the payment of the interest on the public debt, with a bill from the committee on Finance as a substitute for the same, was taken up, amendended, and on motion of Mr. Speed, the whole matter was laid on the table.

Resolution fixing the amount of commutation at $50, in favor of all soldiers entitled to artificial arms, and that said amount be paid immediately on application to the Governor.

On motion of Mr. Leach, the rules were suspended and the resolution passed its several readings. Also, a message insisting on their substitute to the bill providing homestead.

On motion of Mr. Berry, the Senate insisted on the original bill.

The House refused to recede from its amendments to the Revenue bill, and does not concur in the resolution in favor of disabled soldiers.

The Senate insisted, and committees of conference were appointed to consider the several differences.

A message was received from the House transmitting a bill to incorporate the Perquimans Steam Navigation Company. The rules were suspended and the bill passed its several readings.

On motion of Mr. Avery, the Senate adjourned until to-night at 7½ o'clock.

HOUSE OF COMMONS.

WEDNESDAY, Feb. 20, 1867.

Mr. Waugh, for the Joint committee on adjournment, reported a resolution that the two House adjourn *sine die* on Tuesday, the 5th of March next.

Mr. Wilson of Perquimans, moved to amend the resolution by fixing Tuesday, the 26th inst., as the day of adjournment.

Messrs. Waugh, Russ, Moore, of Hertford, and Long opposed the amendment.

Mr. Crawford, of Macon, urged its adoption.

Mr. Boyd moved to amend the amendment by fixing Monday, the 25th inst., as the day of adjournment. Adopted.

The question recurring on the resolution as amended, Mr. McKay moved that it lie on the table. This motion prevailed. Yeas 50; nays 49

UNFINISHED BUSINESS.

The House resumed the consideration of the bill to amend the charter of the Fayetteville and Florence Railroad company, on its second reading

Messrs. McKay and Durham supported the bill. The bill passed its second reading.

On motion of Mr. McKay, the rules were suspended and the bill was put on its third reading. The yeas and nays were ordered, on motion of Mr. Smith, of Guilford, and the bill passed. Yeas, 51; nays 42.

Mr. Davis introduced a bill in relation to deeds, wills, and other papers destroyed during the late war. Passed its several readings.

By Mr. Bowe, a bill for the relief of debtors who have executed deeds of trust or mortgage. Referred to the Judiciary Committee.

A bill to incorporate the N. C. Land Agency for the encouragement of immigration, passed 2nd and 3rd readings under a suspension of the rules.

By Mr. Russ, a bill to incorporate the Raleigh Memorial Association.

By Mr. Lowe, a resolution providing for commutation to soldiers who have lost arms in the military service. Passed its several readings.

By Mr. Carson, a resolution that the two Houses adjourn on Wednesday, the 27th inst., to meet again on the 2nd Tuesday in November next. Laid on the table on motion of Mr. Patton.

An engrossed bill to enable the Western North Carolina Railroad Company to discharge its debts passed its several readings.

An engrossed bill to amend the charter of the Wilmington Railway Bridge Company had its first reading.

Messages were received from the Senate refusing to recede from Senate amendments to the Revenue bill; also refusing concurrence in House amendments to the Homestead bill.

Messages were sent to the Senate asking a committe of conference as to the amendments to the Revenue bill, and refusing to recede from the amendment to the Homestead bill.

A bill (from the Senate) to aid the Williamston and Tarboro' Railroad Company, had its first reading.

Mr. McClammy moved a reconsideration of the vote by which the bill establishing the new county of Vance, passed its 3rd reading.

Mr. Durham, moved to lay this motion on the table. The motion prevailed. Yeas, 37; Nays 36. Some doubt arising as to the correctness of the count, Messrs. McClammy and Durham, were appointed Tellers and the vote was retaken, resulting, Yeas, 45; Nays 46. So the House refused to lay on the table.

The question recurring on the motion to reconsider, that motion prevailed. Yeas 53; Nays 44.

The question then recurred on the passage of the bill, on its third reading. The Yeas and Nays ware ordered, and the bill was rejected. Yeas 41; Nays 54.

On motion of Mr. Davis, the House reconsidered the vote by which it had concurred in Senate amendments to a resolution in favor of disabled soldiers. Concurrence was then refused and the Senate notified thereof.

The House then adjourned.

SENATE.

EVENING SESSION.

WEDNESDAY, Feb. 20, 1867.

Messrs. Covington and Kelly, by leave, recorded their votes in the negative to the substitute from the House to the Homestead bill.

A message was received from the House transmitting the report of the committee appointed to investigate the affairs of the North Carolina Railroad with a proprosition to print the same. Concurred in.

The following bills and resolutions were taken up under a suspension of the rules, and passed their several readings:

Bill to incorporate the Edinboro' Medical College.

Bill authorizing the trustees of the Vine Hill Academy, in the county of Halifax, to sell a portion of the land of said institution.

Bill to incorporate the town of Scotland Neck.

Bill amending an act prescribing the duties of Clerks in issuing marriage license.

Bill to establish the dividing line between the towns of Salem and Winston.

Bill to repeal a part of the 14th section of the 26th chapter of the Revised Code.

Bill to repeal an act for the better regulation of the Western Turnpike Road, and for other purposes.

Bill for the benefit of the poor of Bladen county.

Bill to amend chapter 42 private laws of 1866.

Bill to incorporate the North Carolina Land and Immigration Aid Company.

Bill granting amnesty and pardon to females.

Resolution in regard to reprinting the reports of the Supreme Court.

Bill to abolish jury trials in the County Court of Macon.

Bill to incorporate the Yadkin and Cape Fear Canal Company came up, was, on motion of Mr. Wilson, amended by striking out the 10th section; after some discussion on motion of Mr. Speed, it was recommitted to the committee on Internal Improvements.

Bill to abolish imprisonment for debt came up. It was discussed at length. Mr. Cowles offered an amendment, which was rejected. Messrs. Speed and Leach supported the bill, and Messrs. Wilson, Clark, Robbins and Cowles opposed it; the question recurring on its passage, the ayes and nays were called, and the bill passed by the following vote: Ayes 24, Nays 18.

On motion of Mr. Fereteе, the Senate adjourned until to-morrow at 10 o'clock.

HOUSE OF COMMONS.

EVENING SESSION.

WEDNESDAY, Feb. 20, 1867.

Mr. Waugh, for a select committee, appointed to investigate the affairs of the North Carolina Railroad Company, submitted a report which was sent to the Senate with a proposition to print.

Bills to amend the charter of the Wilmington and Weldon Railroad Company, and to amend the act to incorporate the Wilmington and Raleigh Railroad Company, passed third readings.

An engrossed bill for the better suppression of the crime of stealing horses and mules, was put on its third reading.

Mr. Hodnett moved to amend by adding the following proviso: "Provided, that this act shall apply to such cases only where there has been a combination of two or more persons, engaged in the commission of said crime."

Mr. Hodnett said, that *even with the amendment*, he could not support the bill, being opposed to inflicting the death penalty for the first offence.

Messrs. Waugh, Whitfield an Russ urged the passage of the bill.

Messrs. Brown, Perry, of Carteret, and Hutchison opposed the bill.

Mr. Wilson, of Perquimans, moved to amend the amendment by adding as follows: "On condition that he shall receive one or more whippings, be branded, imprisoned and fined at the discretion of the court, for the *first* offence, and for the *second* let him *hang* until he is dead, dead, dead."

Messrs. Boyd, Jordan, McKay and Blythe opposed the passage of the bill.

After further discussion, before coming to a vote, the House proceeded to consider the

SPECIAL ORDER.

A bill to provide for the payment of the interest on the public debt, was put on its second reading.

Mr. Cowan addressed the House at length in support of the bill.

Mr. Long opposed its passage. Pending further discussion the House adjourned.

SENATE.

THURSDAY MORNING, Feb. 21, 1867.

By leave, Messrs. Richardson and Matthews recorded their votes in the affirmative on the bill to abolish imprisonment for debt, and Mr. Marshall in the negative.

Mr. Clark gave notice that he would offer on to-morrow additional rules for the government of both Houses in order to expedite business.

ON CALENDAR.

Bill to exempt individual corporations from penalties, &c., in certain cases, came up on its second reading. Considerable discussion ensued. Messrs. Wilson, Hall and Moore favored the bill, and Messrs. Cowles, Robins, Leach, Speed and Brown opposed it. On motion of Mr. Robins, it was indefinitely postponed by the following vote—ayes 34, Nays 10.

A message was received from the House, transmitting a resolution proposing to adjourn *sine die* Thursday, the 28th inst. Mr. Wiggins moved to lay it on the table. On motion of Mr. Berry, the ayes and nays were called, and the motion prevailed by the following vote: Ayes 23, nays 22.

Mr. Wiggins offered a resolution proposing to adjourn Thursday, the 28th inst., to meet again on the 1st Thursday in October. Mr. Berry moved to amend by striking out 1st Thursday in October and insert, adjourn Friday, the 29th, *sine die*, and the Senate refused to strike out. Mr. Gash moved to lay the whole matter on the table, and the Senate refused to lay on the table; question recurring on the passage of the resolution, on motion of Mr. Berry, the ayes and nays were called and the resolution passed by the following vote: Ayes 29, nays 17.

On motion of Mr. Avery, a communication from the Governor relative to the affairs of the Deep River Navigation Company was ordered to be printed.

Mr. Respass, by leave, presented a memorial from citizens of Beaufort county, relative to toll of the Washington toll bridge. Referred to the committee on Propositions and Grievances.

On motion of Mr. Cuningham, the rules were suspended and the bill to charter the Oxford branch of the R. & G. R. R., was taken up and recommitted to the committee on Internal Improvement.

On motion of Mr. Berry, the rules were suspended, and the resolution relative to fitting up the Governor's Mansion was taken up; on the passage of the resolution the yeas and nays were called and the resolution passed by a vote of 28 to 15, its final reading.

On motion of Mr. Berry, the rules were suspended and the resolution relative to Burke Square and other public lots in the city of Raleigh, was taken up and passed its several readings; also a bill setting apart certain rooms in the Capitol for certain purposes, passed its several readings.

Bill to amend an act to incorporate the Hillsborough Military Academy came up. On motion of Mr. Hall, the bill passed under a suspension of the rules.

Bill to prevent litigation and the ruinous sacrifice of property of honest debtors came up. On motion of Mr. Matthews it was laid on the table.

Bill authorizing Executors and Administrators of insolvent estates to settle the same *pro rata* came up and was rejected on its second reading.

Resolution in favor of the Literary Board came up. On motion of Mr. Leach, it was referred to the committee on Education.

On motion of Mr. Covington, the Senate adjourned.

HOUSE OF COMMONS.

THURSDAY, Feb. 21, 1867.

The House was called to order at 10 o'clock, A. M.

Mr. Kenan from the Judiciary committee, reported a bill explanatory of the act granting general amnesty and pardon.

Mr. Harper, from the Committee on Finance, report d back the bill to repeal an ordinance of the Convention, authorizing the exchange of stocks of the State for bonds issued prior to 1861, recommending that it do not pass.

Also, favorably, reports from same committee, relative to the management of the Treasury and Comptroller's Department.

Mr. Beasley introduced a resolution that the General Assembly adjourn *sine die*, on Wednesday next, the 27th inst.

Mr. Waugh moved to lay the resolution on the table. Not agreed to, yeas 29, nays 59.

The resolution was amended, on motion of Mr. Patton, by fixing Thursday, the 28th inst., as the day of adjournment.

Mr. Moore, of Hertford, offered an amendment, requiring the Governor to convene the General Assembly, in case the Superior Court decides the new Stay Law to be unconstitutional. Not agreed to.

The question recurring, the resolution, as amended, was adopted, and sent to the Senate for concurrence.

Mr. Jordan introduced a resolution in favor of James G. Allen.

By Mr. Lutterloh, a resolution of inquiry, relative to State property. Referred.

By Mr. Logan, a bill to amend the charter of the Howard Gap Turnpike Company.

By Mr. Hutchison, a bill to incorporate the Charlotte and Georgetown Railroad Company.

By Mr. Clark, a bill authorizing the Commissioners of the town of Halifax to grant the Wilmington and Weldon Railroad Company right of way through said town. Passed its several readings.

UNFINISHED BUSINESS.

The House proceeded to further consideration of the bill to provide for the payment of interest on the State debt.

Messrs. Davis, Cowan, McKay and Patton urged its passage.

Messrs. Russ, Durham, Long and Hutchison opposed its passage.

Mr. Hutchison offered an amendment to the bill, postponing, until 1868, the collection of the taxes therein imposed.

On motion of Mr. May, the bill was laid on the table. Yeas 57, nays 43.

The following engrossed bills had their first readings, viz. To amend chapter 42 private Laws of 1866; in regard to reprinting the reports of the Supreme Court; to establish Edenboro Medical College; to grant amnesty and pardon to females; to repeal part of secteon 14, chapter 26, Revised Code; to incorporate the North Carolina Land and Immigration Company; to repeal an act for the better regulation of the Western Turnpike Road, and prescribing the duties of Clerks in issuing marriage licenses.

The House resumed consideration of the bill for the better suppression of the crime of stealing horses and mules.

The question recurred on the amendment offered last evening by Mr. Hodnett.

Messrs. Hodnett, Brown and Jordan addressed the House, opposing the bill. Messrs. Waugh, Russ and Allen again urged its passage.

The amendment was rejected.

Mr. May offered an amendment providing that persons convicted of horse stealing shall for the first offence receive thirty-nine lashes and be branded in the forehead with a *horse shoe* or the representation thereof: providing further that the second offence be punished with death.

Mr. Hutchison moved to amend the amendment by providing that the convict, for the first offence shall be sentenced to labor on public rords with ball and chain.

The amendment to the amendment was rejected. The amendment was also rejected.

Mr. Crawford, of Macon, offered an amendment providing that the death penalty shall not be inflicted where the evidence is circumstantial. Rejected. The bill then passed third reading—yeas 61, nays 40.

The House then took a recess until 7½ o'clock P. M.

Exhibitions of American Skill at the Paris Exposition.

A letter from New York says:

Messrs, Jaffray have prepared, and are now exhibiting at their store, a case of goods for the Paris Exposition. It consists of two working models, in gold and silver, of the steamers Vanderbilt and Commonwealth. They were made by Mr. J. Dean Benton, of Wilmington, Del., and valued at $12,000. The boats are set on music boxes, and when the music is playing the machinery of the vessels is put in motion. The Commonwealth belongs to Captain Williams, the other will be disposed of in Europe. There is also a silver model of Crawford's dome on the capital at Washington, containing one hunderd and eighty-five ounces of silver; it is valued at $2,000, and is considered the finest piece of workmanship in this country. The silver is oxidized. The rest of the goods consist of the regular line of the firm, though some of it was made expressly for this occasion. It is all very rich, and, if possible, will be sold in Paris. The case, including the vessel and dome, is valued at $21,500.

The Underground Railway of London.

A New York business man, of great experience in road matters, writes from London, under date of January 20, naming some of the things he has seen which he likes:

"Not the least is their extensive system of underground railways. It is perfectly wonderful how they jerk the people about, at the rate of about fifteen miles an hour, from one end of the town to another, and across and around—stopping about once every half mile, at some prominent corner, at a station from which you emerge to the upper air, and find yourself somewhere near where you want to be, and miles from where you were a half or three quarters of an hour ago. These trains run each way, being double tracks, about every ten minutes, and morning and evening they often consist of seven or eight cars, holding thirty or forty people each. The cars are lighted with gas—not the tunnels, except at stations—so that you can read your papers; there is no smell of smoke or sense of suffocation. How they can ventilate them so well I can hardly see."

STATE NEWS.

WAKE COUNTY COURT.—W. H. Hood, Henderson A. Hodge, Reuben Fleming, W. H. High, and R. W. Wynne, Esquires, have been re-elected a Special Court for one year. N. S. Harp, Esq., has been re-elected County Trustee. G. W. Norwood, M. B. Royster and N. J. Whitaker, Esquires, Finance Committee for the ensuing year.

Standard.

WARRENTON FEMALE COLLEGE.—It affords us unaffected pleasure to learn that the number of pupils in attendance now is nearly or quite seventy. We hope another score will be added. For the first session this is a decided success. We have already learned of a half dozen at least who will (D. V) enter the next session.—*Indicator.*

CAPTURED.—The negro, Peter Lane, who shot and killed Wm. Mayo, another darkey, Monday night, has been captured at Goldsboro'. This is good news.

Raleigh Progress.

CHEERING PROSPECTS.—The Books of the Collector for this county show that nearly 11,000 bales of cotton have been shipped already, and it is estimated that at least 4,000 bales still remain in the hands of the planters.

When the great difficulty of procuring labor, and the unfavorable season is considered, this large exhibit speaks volumes for the energy and perseverance of our farmers and gives promise of what we may expect to be produced this year.

Large numbers of Freedmen are being induced to come to Edgecombe, on hearing of the high prices paid for all kinds of labor, and if we shall be able to keep this class under proper control, and even succeed in getting a fair amount of work out of them, there can be no doubt that the profits arising from farming operations will be much greater this year, than has ever been realized before, even in the palmiest days of our regular organized slave labor.

Southerner.

MISTAKE.—The rumor that Peter Lane, the supposed murderer of Wm. Mayo, had been caught at Goldsboro' or Petersburg is incorrect. Nothing has been heard from him, and the authorities should make proclamation. Sheriffs, Magistrates, Mayors, Coroners or other officers, ought to lodge official information with the Governor in all cases, when it becomes necessary to make proclamation.—*Raleigh Sentinel.*

THE COUNTY COURT.—The machinery of this court has been in noiseless operation since Monday. Various cases, some involving divers degrees of moral turpitude, have been tried, and several actions for debt brought. Doubtless the patience of magistrates and jurors is taxed heavily, but we presume it will not last long, as the recent stay law passed by the present legislature has made sad havoc among the lawyers' and their dependants' occupations.

Raleigh Progress.

HIGHWAY GENEROSITY.—The parties who lately relieved the Sheriff of Pitt county of his papers, money, watch and other valuables, have since been visited with compunctious feelings for their conduct on that occasion, and recently returned to Mr. Gray, through the Post office, the whole amount of Green Backs taken from him.

This evidently shows that plunder formed no part of the intention of the robbers and that they were mostly influenced by a desire to obstruct the collection of debts by a capture and destruction of the processes, then being executed by him for that purpose.

No clue seems yet to have been obtained as to the perpetrators of the outrage.

Southerner.

GEN. COLSTON'S LECTURE.—Gen. Colston, Superintendent of the Hillsboro Military Institute, we are pleased to announce, will repeat his Lecture on the Life and Character of Stonewall Jackson, for the benefit of the Ladies Memorial Association, on to-morrow night, (Friday) in the Commons Hall.—*Raleigh Sentinel.*

The Wiles of a Fair Deceiver.

A short time since a modest and captivating young lady, calling herself Nelly Sweet visited Detroit, as she said in search of her brother, who was represented to have been killed on one of the railroads in that State. Her quiet way and great beauty captivated the hearts of all around her, and she became a great favorite. At a party recently given she appeared as an invited guest, and succeeded almost unconsciously, in winning the heart of a wealthy young man answering not to the very romantic name of Henry. Henry danced with the f

THE WILMINGTON JOURNAL.

WILMINGTON, N. C.,

FRIDAY, MARCH 1, 1867.

EDITORIAL CORRESPONDENCE.

The Approaching Adjournment and Future Meeting of the Legislature—Acts Relating to Wilmington—The Fayetteville and Western Railroad—The State Debt—Col. Cowan's, Col. Hall's and Gov. Clark's efforts in behalf of the Credit of the State—Fayetteville and Florence, and Cheraw and Coalfields Railroad Matters, &c.

RALEIGH, Feb. 26, 1867.

Dear Journal :—As the close of the session approaches, the business, which has been accumulating since November, is being dispatched with such rapidity, that in the space of a letter one can hardly give any adequate idea of what is being done. The important measures as they are maturing into laws, however, find their way into your columns in advance of other papers, and these are really much more important and interesting than probably vain speculations as to what may or may not be done. The agreement to adjourn next Monday found the files of both Houses much crowded with very many measures of interest, but by most arduous labors, day and night, the more important ones are being rapidly acted upon, and the close of the present week will find both Houses prepared to comply with the joint order.

The object of meeting next August, is in reference to the Stay Law, which it seems by this determination, is feared by a majority of the Legislature, will not stand the test of the Courts. The Supreme Court meets in this city in June, and the adjourned session of the General Assembly is to meet just afterwards, in order to mend any rents in their work that this tribunal may make in it.

Several bills of local interest have been passed into laws during the last few days, among them are those to incorporate the Chamber of Commerce ; to incorporate the Wilmington Institute ; to incorporate the Wilmington Manufacturing Company ; to incorporate the Wilmington Hook and Ladder Company; and to enable the City of Wilmington to provide for the payment of its debts. The latter is of such importance that a certified copy is enclosed.* It is a matter of pride that our city is inaugurating measures looking to an adjustment of its debts, while most legislation at this time is tending in an opposite direction.

The bill to enable the Western (Fayetteville) Railroad to extend its road across the North Carolina Road, by or near Salem, to the Virginia line near Mt. Airy, has been ratified. The bill provides that the Public Treasurer shall subscribe one million dollars to be paid in the second mortgage bonds of the Wilmington, Charlotte and Rutherford Railroad. If the management of the latter road are able to negotiate their first mortgage bonds, this aid will be sufficient, with the individual subscriptions, to complete the work. This work has been a favorite scheme of the *Journal*, and its completion must not only develop one of the finest sections of the State, but also bring Wilmington into connection with a people, heretofore strangers, which must be mutually beneficial. Col. Waugh, the Commoner from Surry, deserves much credit for his efforts in behalf of this road, and it is to be hoped his reward will be found in the speedy completion of this great work and the development of his magnificent county.

One of the most interesting matters which has lately been agitated in the Legislature, and doubtless the most important of the session, was the bill introduced by Col. Cowan to provide for the payment of the interest of the Public Debt. The bill provided for a tax on polls of one dollar, and on all other persons and subjects of taxation the rates to be for the year 1867, twice, and thereafter, three times those imposed in the Revenue bill passed by this General Assembly. It provided, further, for the issuing of Coupon Bonds for the payment of the interest falling due prior to 1st day of January, 1868. The bill was the special order for Wednesday night of last week, and Col. Cowan's speech in support of the measure was undoubtedly the ablest of the session. For upwards of an hour he claimed the attention of the House, and the gallery was crowded with the ladies of the city. His appeal in behalf of the credit, material interest and honor of the old State, if ineffectual to carry the majority of the House, was a noble and manly effort that not only made a reputation for him as an able debater, but one which he will be justly proud of when by dangerous delays and under accumulated weight, the debt becomes too great for management, and with credit impaired and industry paralyzed, every citizen of the State becomes aware, too late, that there can be no real prosperity without credit and without honor. The very large minority which voted for the bill, so soon after such radical legislation upon the subject of "Relief," was a compliment to the gentleman which his eloquence and earnestness deserved.

A bill, with provisions quite similar, having been introduced into the Senate by Gov. Clark, immediately after its defeat in the House, was debated and acted upon adversely in that body to-day. Mr. Berry introduced a substitute authorizing the Treasurer to issue bills of the several denominations of one, two, five, ten and twenty dollars to an amount not exceeding seven hundred and fifty thousand dollars, to bear one-tenth of one per cent. per annum interest, and payable 1st January, 1870, to be received by the Sheriffs and other collecting officers, in the payment of public dues and county taxes. A tax of one-tenth of one per cent. to be levied on all subjects of taxation, after the first of January, 1868, for the purpose of creating a sinking fund to redeem these bills.

Upon the rejection of this amendment, Col. Hall introduced a substitute to provide that there shall be a tax levied payable on or before the 15th day of December, 1867, and on or before the 1st day of October of each year thereafter, equal to one hundred per cent. of the taxes imposed by the Revenue Act passed by the present General Assembly, on the subjects and persons therein named ; and requiring the Treasurer to advertise that on the 1st day of January, 1868, and thereafter, until the moneys directed to be collected shall be exhausted, fifty per cent. of interest due by the State will be paid to any person entitled to the same, in full of said interest — Col. Hall supported his substitute in a most able speech. He thought it was absolutely necessary for North Carolina to give some assurance, other than empty words, that she intended to pay her debts ; even in her impoverished condition she could pay, without too much burden upon her citizens, one-half the interest now due.

Gov. Clark also made a forcible appeal in behalf of the credit of the State. He urged the friends of internal improvements to come forward to the support of the bonds of North Carolina. If these become worthless, which must inevitably be the case, if the payment of interest was much longer delayed, the aid granted to the great Railroad corporations during the session would also be worthless. These appeals were, however, in vain, and the bill was indefinitely postponed by a considerable vote.

The bill to aid the Fayetteville and Florence Railroad was so amended, that its friends have placed it on the table pending its final passage in the Senate. The Cheraw and Coalfields Railroad bill was rejected last night in the same body, by one vote, but to-day a motion was entered to reconsider it, and another fight will be made upon it. It will be finally rejected, unless its friends fillibuster it through near the close of the session, when many Senators are absent.

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* This act will appear in our next issue.

Important Decision.

We lay before our readers the opinion of Judge Battle, giving the reasons for the decision of the Supreme Court in a case of much interest and importance. The case is that of State *vs.* Bell ; the defendant having been a merchant of Beaufort during the year 1865. The Provisional Sheriff of Cartret county demanding from him the merchant's tax, due under the Revenue Ordinance of the Convention for 1865, he refused to disclose the amount of his purchases, except those made after the passage of the Ordinance, and was thereupon indicted under its provisions. The case was argued at the June Term of the Court, but the Court, owing to the importance of the questions involved, directed a new argument at the present term. The counsel on the part of the State were Hon. S. F. Phillips, and of the defendant, John H. Haughton, Esq., and their speeches are said to have been very able and exhaustive.

There are many cases pending in the various courts identical with this, and the amount involved is large. The Ordinance was drafted, it is said, by our townsman, W. A. Wright, Esq.

It will be seen that the Court sustains the Ordinance, deciding that the merchant was bound to list his purchase for the whole of 1865, although Beaufort, for a large part of the year, was in the Federal lines, and the defendant paid a license tax to the United States for his privilege to sell.

The Revenue Act.

We publish to-day, to the exclusion of much other matter, the Revenue Act passed by the Legislature, and ratified on the 25th inst. We could not publish anything which can be of more general interest to our readers. Few, if any of them, but what have a direct interest in taxes—rich and poor alike are concerned.

It will be seen that the present act is founded upon the *ad valorem* system, as much as possible, and is pretty much the bill prepared by the very efficient Public Treasurer, Mr. Kemp P. Battle, at the beginning of the session, the alterations being few and generally unimportant. The fact that upon most subjects the taxes are lower than they were last year, will probably not be unpleasant to our readers.

Homesteads.

In continuation of the important Acts for the relief of the people, passed by the Legislature, we publish to-day the Homestead Bill. The bill finally agreed upon and is now the law of the State, is combined of the principal features of the bills of Col. Richardson, of Bladen, and Mr. Berry, of Orange. We hope our people generally will avail themselves of the benefits of the Act, and trust its benefits will be evidenced by the improved appearances of the *homes* of our citizens, and will so attach them to their homes that the flood of emigration from the State will be stopped.

Meeting of the Stockholders of the Wilmington, Charlotte and Rutherford Railroad Company.

A meeting of the Stockholders of the above Company was held in the Court House, in this city, at 4 o'clock Monday afternoon, agreeably to notice from the Secretary, to consider the Act of the General Assembly, now in session, amendatory to the charter, entitled "an Act to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete its road, pay its debt to the State and extend its road to the Tennessee line.

The meeting was organized by calling General Alfred Dockery, of Richmond county, to the chair, and requesting I. T. Alderman and M. Cronly, Esqs., to act as Secretaries.

On motion of the President, Col. R. H. Cowan, a committee consisting of Messrs. O. G. Parsley, and B. S. Guion, was appointed to verify proxies and ascertain the number of shares represented.

On motion of Judge Person, the committee on proxies were authorized to exercise their discretion in the consideration and verification of proxies.

The committee reported the following number of shares represented :

In person	1,383
By proxy	17,566
Total	18,949

A majority of the capital stock being thus represented, the meeting was declared duly organized and proceeded regularly to the transaction of business.

Col. Cowan moved that the delegates present from the Western Railroad be invited to take seats with the Stockholders of this road and participate in their deliberations. The Chairman, without putting the question, invited the gentlemen indicated, to seats in the body.

Col. R. H. Cowan then presented the amendment to the Charter of the Company authorizing an extension of the road to the Tennessee line and to enable the Company to pay its debt to the State, which was read and submitted to the consideration of the meeting, and its acceptance recommended to the Stockholders.

Col. H. W. Guion offered the following resolutions bearing upon the question :

Resolved, That the act of the General Assembly of the State of North Carolina, ratified the twentieth day of December, eighteen hundred and sixty-six, entitled "A bill to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete its road, pay its debt to the State and extend its road to the Tennessee line," be, and the same is hereby accepted with all the powers, conditions, liabilities and privileges therein mentioned, specified and conferred.

Resolved, That the President and Directors of the said Wilmington, Charlotte and Rutherford Railroad Company be, and they are hereby directed, authorized and empowered under and by virtue of the provisions of the said bill, to issue bonds of the said Wilmington, Charlotte and Rutherford Railroad Company, authenticated in such a manner as they deem best, in sums of one thousand dollars each, at a rate of interest of eight per centum per annum, payable semi-annually in the city of New York ; said bonds to consist of two series ; the first series to consist of two thousand bonds of one thousand dollars each, payable on the first day of January, 1887, with coupons attached ; and the second series to consist of two thousand bonds of one thousand dollars each, payable on the first day of January, 1897, with coupons attached, the bonds of both series bearing equal date, and the principal and interest thereof to be payable in the city of New York ; the first coupon of each bond to become due and payable on the first day of July, 1867.

Resolved, That for the purpose of securing the payment of the said bonds at the maturity thereof, and of the interest thereon as the same shall become respectively due and payable, the President and Secretary of the said Wilmington, Charlotte and Rutherford Railroad Company shall, in pursuance of the provisions of the said bill, make, execute and deliver on behalf of the said Wilmington, Charlotte and Rutherford Railroad Company to three Trustees, to be named, selected and chosen by the President and Directors of the said Wilmington, Charlotte and Rutherford Railroad Company, a deed of mortgage conveying the franchise and property of the said Wilmington, Charlotte and Rutherford Railroad Company, its road, bed, superstructure, choses in action and personal property and real estate of what kind soever ; said mortgage deed to have the usual covenants with reference to preclosure, to be sealed with the corporate seal of the said Company, and to be signed by the President and attested by the Secretary of the said Company.

Some discussion here arose as to the denomination of the bonds, in which Mr. Parsley and Col. Guion participated, and during which it was stated that negotiations had been entered into by the Directors and parties in New York relative to the said bonds, and that the resolutions were submitted as the result of these negotiations.

Hon. A. H. VanBokkelen objected to the style of bonds and preferred that they be offered for sale in an European market, stating the advantages to be derived from negotiations for their sale in gold, as the currency of the United States was not desirable as a basis for operations.

Col. Cowan spoke of the difficulties existing in the way of the sale of bonds in Europe, as the capitalists of the old world were averse to loaning or negotiating for bonds of any Railroad in North Carolina, or in any Southern State, as the political condition of the country was such as to render any investment of this character unsafe. He desired an early completion of the road, and stated that the manner proposed was of a character, in the minds of the Directors, best calculated to bring about this end.

Mr. VanBokkelen still argued the fallacy of the proposition to negotiate for the sale of the bonds in United States currency, and insisted upon their sale for gold.

Mr. Guion urged the adoption of the resolutions and declined to accept of amendments, preferring that they should be adopted as a whole.

The discussion continued ; Mr. VanBokkelen still urging the advantages possessed by sterling bonds.

The resolutions offered by Mr. Guion were finally adopted as a whole.

Colonel Cowan here arose and alluded to the presence of the delegates from the Western Railroad to consider the extension of the two roads westward, over the mountains, and made a motion to the effect that these gentlemen be invited to address the meeting on the subject.

Mr. Woodfin, one of the delegates, was here called upon and arose to address the meeting, stating, however, they came not to propose measures, but rather to hear what this Company had to suggest on the subject in which both Companies were interested. He proposed a connection of the two roads, and suggested the town of Newton as a desirable point for the connection.

Messrs. McCorkle and Ford, the other two delegates, concurred in the remarks of their brother delegate.

Col. T. D. Meares moved that the question be referred to the Directors of this Company.

The question was then discussed by both the delegates and the meeting, and an interchange of opinions regarding the subject under consideration indulged in.

Col. Meares then placed his motion in the form of a resolution, which was adopted and made to read as follows :

Resolved, That the Stockholders of this Company are gratified at the suggestions made by the representatives of the Western North Carolina Railroad and hereby express their great desire to extend Railroad facilities to the people of the West, and will make all efforts to accomplish its desirable purpose upon such terms as will be best for the interests of the public, so soon as such means are at our command as will enable us to do so, and to this end the Board of Directors are hereby authorized to make the necessary surveys, and collect the necessary information to enable this body to act understandingly.

Resolved further, That the Board of Directors of the Western North Carolina Railroad be requested to join our Board in their efforts to obtain the requisite information.

Col. Steele offered the following resolution in addition to those offered by Col. Guion, to follow them in the record of the proceedings of the meeting, which was adopted :

Resolved, That in case the Board of Directors of this Company shall find, after trial of the market, or further information, a bond of a different style from that recited above, can be made more available for the interests of the Company, they are hereby authorized to make such change according to their best discretion.

On motion of Col. Guion, the thanks of the meeting were tendered to the President and Secretaries for the able and efficient manner in which they discharged their duties.

On motion the meeting adjourned.

CONNECTION—THE W., C. & R. R. R. AND THE WESTERN NORTH CAROLINA RAILROADS.—Much interest is felt by those sections of the State traversed by the Wilmington, Charlotte and Rutherford and the Western North Carolina Railroads, in regard to the completion of the respective roads. In this subject the people of Wilmington have as great an interest as those of any other section, and in fact a much greater interest than some persons are willing to believe. To secure an early completion of both roads alluded to, it is adjudged necessary that the connection be made, and that the Companies co-operate in the work of crossing the mountains by a mutual expenditure of money and labor. Those who have studied the interests of both Companies agree that the connection and co-operation of the two roads is the only feasible plan for their early completion.

Many points are proposed for this connection, but it is first desired that the Companies agree to co-operate, and settle upon some definite plan of action. To this end three gentlemen of known ability, and warm friends of internal improvements, were sent to the meeting of the Stockholders of the Wilmington, Charlotte and Rutherford Railroad, held in this city on Monday, as delegates from the Western Railroad, to ascertain the feeling of the Stockholders regarding the subject of connection, and what they were disposed to suggest and how they would act.

We were favorably impressed with the remarks of Col. Woodfin, of Buncombe county, one of the delegates, and a Director of the Western Railroad on this subject. Col. Woodfin reasoned the matter soundly and with much force, and evinced a thorough knowledge of the subject, one to which he had undoubtedly given much thought. He alluded to the necessity of co-operation on the part of the two Companies if they wished to build their roads and cross the mountains. This venerable gentleman was listened to with great attention, and high respect for his opinius was evinced by the Stockholders.

Mr. McCorkle, the Senator from Catawba, in the General Assembly, who was also a delegate from the Western Railroad, sustained the opinions advanced by Col. Woodfin with much ability, and evinced qualifications which clearly indicated that he is a sound thinker and reasoner.

No doubt the Directors of the Wilmington, Charlotte & Rutherford Railroad, to whom the question was referred by the Stockholders, will it give a careful consideration, and take such action as will advance the cause of internal improvements.

We were pleased to notice at this meeting Col S. H. Walkup, Congressman from Charlottee district, and a Director in the Company. Col. Walkup served his country during the late struggle in the capacity of commander of the 48th regiment from this State, and has given to the State much meritorious service.

WE publish below an analysis made by Dr. D M. Buie, of 100 grains of Phœnix Guano, for a firm in this city. The 100 grains produced—

Organic matter	6.0
Water	13.
Bone Phosphate of Lime	68.8
Carbonate of Lime	8.66
Ammonia	2.688
	99 148

Dr. Buie informs us that this Guano is well adapted to cotton lands, and is likewise a valuable fertilizer for all kinds of grain and other crops.

[REPORTED FOR THE JOURNAL.]

HOMESTEADS.

AN ACT to establish Freehold Homesteads for the citizens of the State, also to exempt certain personal property.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That it shall be lawful for any citizen of the State, who is possessed of a freehold of lands within the same, to file his petition in the Court of Pleas and Quarter Sessions of the county where the land lies, praying for the allotment of a homestead therefrom, not exceeding one hundred acres if in the county or one acre if in the city or town, which allotment may include a single dwelling and the necessary out houses, and therefore it shall be the duty of the Court to appoint five freeholders to lay off and allot to the petitioner said homestead by metes and bounds according to their discretion, make a descriptive account of the same under their hands and seals, and return it to the Court at its next session ; *Provided*, That if any buildings other than the necessary out houses or houses belonging to the curtilege, shall be erected on any part of said homestead in town or city, then so much of the land as is covered by said buildings shall not be exempted longer from execution under the provisions of this Act.

SEC. 2. That upon the return as aforesaid it shall be the duty of the Clerk to record it upon the minutes, and to make out and deliver to the Register of the county a copy thereof, who shall register the same in his books, making a memorandum of the time when it is done, at the foot of the registration, for which services these officers shall be entitled to the fee fixed by law in similar cases.

SEC. 3. That the homestead so laid off and registered shall not be subject to execution for any debts contracted, or cause of action, or other liability, save taxes accruing after the same is registered. *Provided*, said homestead shall not be exempt from execution for any debt or cause of action arising upon any penal bond or covenant previously executed, although the same may accrue after the registration aforesaid.

SEC. 4. That if any person be taken under a *capias ad satisfaciendum*, sued out upon any judgment founded, or cause of action accrued subsequent to the registration aforesaid, it shall not be required of him to put the allotted homestead in his schedule of effects, or surrender the same ; *provided*, this exemption shall not apply as aforesaid to process or judgments founded on penal bonds or covenants previously executed, although the causes of action did not accrue till after the registration.

SEC. 5. That no male person in lawful wedlock, have power to sell or dispose of a homestead so set apart, without the concurrence of his wife, evidenced by deed, executed and verified with the same formalities that may be required by law to convey the lands of *femes covert*.

SEC. 6. That in all cases where a homestead freehold is laid off under the provisions of this act from an estate descendable to heirs, and the wife survives, she shall be entitled to the said homestead for dower, if she shall so elect, to be allotted to her in the manner now provided by law, subject nevertheless to the condition that if she marry again, there being a child or children of the issue of her first husband, she shall take one third of the same only, including the dwelling : *Provided*, That the homestead provided for in the foregoing sections shall not be exempt from debts incurred for making improvements thereon or cultivating the same.

Provided further, That such exemption shall continue after the death of such householder or householders, for the benefit of the children, as a home, until the youngest child shall become twenty-one years of age.

SEC. 7. *Be it further enacted*, That the following property of each head of a family, or housekeeper, shall be exempt from execution, except for taxes, after the ratification of this Act, to wit : All necessary farming and mechanical tools, one work horse, one yoke of oxen, one cart or wagon, one milch cow and calf, fifteen head of hogs, five hundred pounds of pork or bacon, fifty bushels of corn, twenty bushels of wheat or rice, and household and kitchen furniture not to exceed in value two hundred dollars, the libraries of licensed attorneys at law, practicing physicians, and ministers of the gospel, also the instruments of surgeon's and dentist's used in their professions.

SEC. 8. That all laws and clauses of laws coming within the meaning and purviews of this Act are hereby repealed.

Ratified February 26th, 1867.

R. Y. MCADEN,
Speaker House of Commons.
M. E. MANLY,
Speaker Senate.

[REPORTED FOR THE JOURNAL.]

THE CONVENTION REVENUE ACT.

THE STATE VS. JOHN L. BELL.

This case was argued before us at the last term of the Court, but as the questions presented in it were found to be novel as well as important, we deemed it proper to take time for deliberation, and to request another argument. It has accordingly been again discussed, with much zeal and ability, by the counsel on both sides, and we are now prepared to state the reasons which have conducted us to the conclusion at which we have arrived.

The indictment against the defendant is founded upon an Ordinance of the Convention of 1865, which was ratified on the 18th day of October of that year, and is entitled "An Ordinance to provide Revenue for the year 1865." By the 19th section a tax is imposed of "one half of one per cent on the amount of all purchases made in or out of the State, whether for cash or on credit, by any merchant, &c., buying or selling goods, wares or merchandize, of whatever name or description ; *Provided, however*, That purchases of cotton, tobacco, turpentine, rosin, tar or spirituous liquors, wines and cordials, shall not be included in the amount of purchases on which the tax laid by this section is to be estimated." This tax was by the first section to apply and operate during the twelve months next preceding the 1st January, 1866. By the 21st section it is provided that, "to ascertain the amount of taxes due, from any person, company, firm or corporation, the Sheriff or his deputy, is hereby authorized and empowered to examine on oath, any person, &c. ; and in case any such person shall refuse fully to answer on oath, such person shall be deemed guilty of a misdemeanor, and said Sheriff or deputy Sheriff shall commit him to prison, unless he shall enter into recognizance with good security in such sum as shall be required, to appear before the Superior Court of law of his county, at its next term, to answer the charge, and on conviction, he shall be fined or imprisoned at the discretion of the Court."—The defendant, who was a citizen of the county of Carteret, and had carried on the business of a merchant in that county, by buying and selling goods, wares and merchandize, during the whole of the year 1865, refused to make the oath required by the ordinance, but offered to swear to the amount of his purchases after the 18th day of October, 1865, that being the day on which the ordinance was ratified. To this proposition the Sheriff refused to accede, and proceed to bind him over to the next Superior Court of Law, for the county, at which Court, he was indicted for a violation of the Ordinance, tried and convicted, and from the judgment then pronounced against him, he has appealed to this Court. On the argument here, the counsel for the defendant contends that the Oordinance of the Convention, under which his client was convicted and sentenced, is unconstitutional and void ;

First. Because it is an *ex post facto* law, and therefore prohibited by the Constitution of the United States, which daclares that no State shall "pass any bill of attainder or *ex post facto* law." Con. U. S., Art. 1, Sec. 10, part 1. It becomes necessary then to inquire, what is such a law ? That question was answered and settled by the Supreme Court of the United States, in the case of Calder vs. Bull, 3 Dallas, 386, in which it was defined to be as follows : 1st. Every law that makes an action done before the passing of the law, and which was innocent when done, criminal, and punishes such action. 2d. Every law that aggravates a crime or makes it greater than it was before it was committed. 3d. Every law that changes the punishment and inflicts a greater punishment than the law annexed to the crime when it was committed, 4th. Every law that alters the legal rules of evidence, and receives less or different testimony than the law required at the time of the commission of the offence, in order to convict the offender." This definition, thus given by Judge *Chase*, in pronouncing the opinion of the Court, has been universally accepted and approved, and it shows that an *ex post facto* law in the sense in which it is used in the Constitution, applies to matters of a criminal nature, and to them only.—1 Kents' Commentaries, 409 ; 3 Story's Commentaries on the Constitution, 212 ; State *vs.* Bond, 4, Jones, 9.—The twenty-fourth Section of our Bill of Rights, which says, that "retrospective laws punishing acts committed before the existence of such laws, and by them, only declared criminal, are oppressive, unjust and incompatible with liberty. Wherefore, no *ex post facto* law ought to be made" has received a similar construction, *Dickinson vs. Dickenson* ; 3 Murphy, 327. Tried by the test of this definition of an *ex post facto* law, the Ordinance of the Convention is not in the slightest degree obnoxious to censure. It does not declare criminal any action done by the defendant before it was passed, nor does it aggravate the criminality of any act which he had previously committed, nor does it charge or increase the punishment for any alleged crime, nor change the rules of evidence to make a conviction easier. On the contrary it recognizes the defendant as having been engaged in a lawful business, upon which it simply proposes to lay a tax. What it declares to be a crime is something which he may do or refuse to do afterwards ; and in respect to such criminality, it is altogether prospective. If he were not bound to render an account on oath of his purchases as a merchant prior to the passage of the Ordinance, it must therefore be for some other cause, than that the Ordinance is an *ex post facto* law.

Second. Upon the supposition that his first objection might not be sustained, the counsel contend in the second place, that if the Ordinance be not an *ex post facto* law it is a retrospective one, and therefore void as being against the *spirit* if not the *letter* of the Constitution. For this position the counsel has referred to and relies upon what is said by Dwariss on statutes. "It is a general rule, say the books, that no statute is to have a retrospect beyond the time of its commencement, for the rule and law of Parliament is that *nova constitutio futuris formam debet imponere non preteritis*. And not only is it the doctrine of the English laws that a statute is not to have a restrospective effect, but it is also founded on the principles of general jurisprudence. A retroactive statute would partake in its character of an *ex post facto* law, as to all cases of crimes and penalties, and in matters relating to contracts or property" would violate every sound principle."—Dwarr. on Stat. 680 and 681, (9 Law Lib. 35.) Whenever a retrospective statute applies to crimes and penalties it is an *ex post facto* law, and as such is prohibited by the constitution of the United States, not only to the States, as we have already seen, but to Congress. See Art. 1, Sec. 9, par. 3.—The omission of any such prohibition in the Constitution of the State, and also of the United States, is a strong argument to show that retrospective laws, merely as such, were not intended to be forbidden. It furnishes an instance for the application of the maxim, *expressio unius est exclusio alterius*. We know that retrospective statutes have been passed and enforced in our Courts, of which the case of the *State vs. Pool*, 5 Iredell 105, furnishes a striking example. In that case it was decided that a bond given by a Sheriff for the discharge of his official duties, though void, according to the previous decisions of the Supreme Court, because those who accepted it had at the time no legal authority to do so, yet will become valid *ab initio* from a subsequent Act of the Legislature, declaring that such bonds shall be considered as having been legally delivered. And this consequence will follow, although the Act of Assembly was passed, not only subsequently to the institution of the action, but also to the determination in the Court below, and the appeal to the Supreme Court. In the argument of the case, it has been contended that the Act ought to be construed so as to extend only to bonds subsequently executed, but in delivering the opinion of the Court it was said that though Statutes ought not to be deemed retrospective, except from necessity, yet the words, "have been taken," as applied to the bonds of Sheriffs, could not be so interpreted as to render them inoperative. It follows from this, that whenever the Legislature uses language which is expressly, or by a necessary construction, retrospective, effect must be given to it by the Courts, unless there be some other grounds upon which it must be declared void. There can be no other ground except its repugnancy to the Constitution of the United States, or of the State, for it was well said by the learned counsel who argued for the State, that there can be but two questions raised upon an Act of the Legislature. First : Is it constitutional ? Second: What is its proper construction ? In connection with this, the language of the Judges of the Supreme Court of Massachusetts, in reply to questions propounded to them by the House of Representatives of that State, is of grave import and deserves the serious consideration of every citizen of the country. The Constitution is law, the people having been the legislators, and the Statutes of the Commonwealth enacted pursuant to the Constitution, are law, the Senators and Representatives being the legislators. But the provisions of the Constitution and of any Statute are the intention of the Legislature hereby manifested. These intentions are to be ascertained by a reasonable construction, resulting from the application of correct maxims, generally acknowledged and received." 7 Mass. Reports, 524.

Third. The Ordinance of the Convention, upon which we are commenting, uses no doubtful or equivocal language. It expressly requires every merchant, &c., to give an account on oath of all of his purchases, in or out of the State, during the year 1865. It was passed and ratified, as we have seen, on the 18th day of October, in that year. An important question is thus presented, whether the Convention had the power to lay a tax upon business done prior to the time, when the Ordinance was adopted. This question is one of very great importance, both to the State and its citizens. In its discussion it will aid us to consider for a moment the extent of the power possessed by the State to levy taxes upon its inhabitants. "The taxing power is one of the highest and most important attributes of sovereignty. It is essential to the establishment and continued existence of the Government. Without it all political institutions would be dissolved, the social fabric would be broken up and civilization would relapse into barbarism." *State vs. Petway*, 2 Jones Eq. 405. "The power of taxing the people and their property is essential to the very existence of Government, and may be legitimately exercised on the objects to which it is applicable, to the utmost extent to which the Goverument may choose to carry it. The only security against the abuse of this power is found in the structure of the Government. In imposing a tax, the Government acts upon its constituents. This is in general a sufficient security against erroneous and oppressive taxation. The people of a State, therefore, give to their Government a right of taxing themselves and their property ; and as the exigencies of the Government cannot be limited, they prescribe no limits to the exercise of this right, resting confidently on the interests of the Legislature and the influence of the constituents over their Representatives to guard them against its abuse." *McCulloch vs. State of Maryland*, 4, Wheat Rep. 428. See also *Providence Bank vs. Billings*. 2, Peters Rep. 514, at pp. 561, 563.

Before North Carolina entered into the Federal Union she possessed, as an independent and sovereign State, this unlimited power of taxation, but by adopting the Constitution of the United States, and becoming a member of the Union, she surrendered a portion of this sovereign power, but only such portion as was necessary to enable the general government to carry on and accomplish the purposes for which it was established as a great nation. The taxing power of the State is, therefore, now restricted, and the extent of this restriction is very well expressed in the case of Nathan vs. State of Louisiana, 7 Howard Rep. 73. "The taxing power of a State is one of its attributes of sovereignty, and where there has been no compact with the Federal government, or cession of jurisdiction, for the purposes specified in the Constitution, the power reaches all the property and business within the State, which are not properly the means of the general government, and as laid down by this Court it may be exercised at the discretion of the State.—The only restraint is, the responsibility of the members of the Legislature to their constituents." See also, the People vs. the Mayor of Brooklyn, decided in the Court of Appeals of New York, 4 Comstock Rep. 417. With this large and essential power of taxation, unrestricted, except when it may come in conflict with the Constitution of the United States ; with a well established right to pass a retrospective law, which is not in its nature criminal, we can see nothing to prevent the people from taxing themselves, either through a Convention or a Legislature, upon property owned or a business followed, anterior to the passage of the Ordinance or the Statute. The counsel for the State has referred us to several Acts of Congress, which have such a retroactive effect in taxing income, &c. See 12 Statute at large at pp. 309, 311, 445 and 472. Whether this retrospection could go back beyond the current year, it is unnecessary for us to decide. The Ordinance expressly confines the taxation to the year, which is the usual manner of providing for the laying and collecting taxes in this State, for though a Revenue law may continue in operation for a longer period than one year, the tax lists are to be made out and the taxes themselves to be collected annually.

Fourth. We will notice here the objection which was urged in the case of *Murchison vs. McNeill*, 1 Winst. 220, to a law which imposed a tax upon the profits of a business commencing at a time anterior to the passage of the act. It was contended by the able counsel who argued that case for the tax payer, that the law was unconstitutional, because the impost was in effect a capitation tax, and as such was not imposed in the manner prescribed by the Constitution of the State, which declares that "capitation tax shall be equal throughout the State upon all individuals subject to the same." See amendments to the State Constitution, Art. 4, Sec. 3, Par. 1. "A capitation tax is, (as we said in *Gardner vs. Hall*, 1 Phil. 21,) one upon the person simply, without any reference to his property, real, or personal, or to any business in which he may be engaged, or to any employment which he may follow. It is rightfully imposed because of the protection which the government affords to the person, independently of the connexion or relation of the person to anything else.—Every kind of tax must be paid directly or indirectly by a person, but if he pay it in consequence of his ownership of property, or of a license to follow a profession or trade, or of making profits by the use of money or other things, or of a privilege granted to him either in writing or orally, by the State or by the permission of the State, either expressed or implied, the impost is not a capitation tax ; that is, it is not tax upon his poll or head simply." It is manifest that the tax complained of by the defendant in this case, is a tax upon his business as a merchant, and not a tax upon his head, in the sense in which a capitation tax is used in the Constitution.—The requisition upon him to give an account upon oath of the amount of his purchases during the year, is for the purpose solely of ascertaining what amount of tax ought to be imposed upon him as a merchant. This requisition, if our reasoning be correct, the State had a right to make, and he ought not to have refused.

Fifth. The last objection urged on the part of the defendant by his counsel is, that during a considerable part of the year 1865, the county in which he resided and was doing business, was occupied by the Federal forces in the prosecution of a war against the State of North Carolina ; that he was carrying on his trade as a merchant under a license of an agent of the Treasury Department of the United States, and has paid taxes therefor, both to the military and civil authorities of the government ; that after that arrangement was discontinued in the month of May, he continued to trade under his license, and has paid the Internal Revenue tax imposed by an Act of the Congress of the United States ; that there were no Court officers in his county in the exercise of their functions prior to the organization of the Provisional Government in the State, and that up to that time the town of Beaufort, where he was trading, was in possession of the Federal forces. Under these circumstances it is contended for the defendant that he was not liable to pay any tax to the State upon his business, prior to the date of the Ordinance passed by the Convention.—In support of this objection, the counsel relies upon two grounds. He insists : First, That the occupation of the town of Beaufort was the occupation of a public enemy of the State, and that for the time of its continuance he cannot now be made liable to pay taxes for business which he carried on while under the dominion of the enemy. Secondly, He contends that he was a licensee of the Federal Government, that as such he supplied the army and the country, within the Federal lines, with provisions, &c., and that to tax his business would be to tax the means employed in part by the United States Government for the suppression of the rebellion.

In support of his first position, under this objection, the counsel relies on the case of the "*United States vs. Rice*. 4 Wheat Rep. 246—(4 Curtis 391.) During the war of the United States with Great Britain, which commenced in 1812, the enemy captured the port of Castene in the State of Maine, and held possession of and exercised complete dominion over it until the treaty of peace between the two countries in 1815, when it was restored to the United States. During its occupation by the enemy, goods were imported into it, which, after the war, were held not to be liable to the duties imposed by the United States Revenue laws. Such goods at the time of their importation were not imported into the United States, and hence upon the proper construction of its Revenue laws they were held not to be liable to pay duties. The sole question in the case was (as was correctly said by the counsel for the State) one of construction only, and cannot be used as an authority for any other purpose. It does not decide or pretend to decide, that after the territory was restored to the United States in 1815, the State of Maine might not have taxed the property and business of its inhabitants in the same manner as it taxed the other citizens of the State. But admitting, for the sake of the argument, that the law is otherwise, then we say, that the case is not at all, in principle, the same with the one before us. To make it so, is to concede that the State of North Carolina had a right in 1861 to secede from the United States, and thereby become an independent nation ; for in such case it must be admitted that a capture of a portion of her territory by the United States in the war which ensued would have been a conquest by a foreign enemy. But such right of secession was repudiated by the first ordinance of the Convention of 1865, and the attempted act of secession in 1861 was declared to have been at all times null and void. The capture of Beaufort by the military force of the United States was not, therefore, the conquest by a foreign enemy of the territory of the State of North Carolina, but merely the suppression of the rebellion in that part of the State, and when afterwards the State was rehabilitated, its loyal Government was restored to all its former powers unchanged, including its power of taxation over all its inhabitants, in every part of its territory. This view is fully sustained by the opinion of *Judge Sprague* in the case of the Amy Warbeck, before the United States District Court of Massachusetts, and by that of Judge Nelson, of the Supreme Court of the United States, in the matter of Jones Egan on a writ of *habeas corpus*.

The second position under the last objection is equally untenable. The defendant was certainly not an officer of the United States. He did not hold any commission under that Government nor receive any pay by way of salary or otherwise from it. He was merely acting under a license from the authorities of the general government, which enabled him to trade on his own account and for his own profit, with the officers and soldiers of the army, and with the people of the surrounding country. For this privilege he was indeed required to pay a tax to the United States, but that did not prevent his liability to pay another tax to the State. *McCulloch vs. State of Maryland,—ubi supra*. The same principle has, we understand, been recently decided by the Supreme Court of the United States in what are called the liquor and lottery cases. If the defendant can be considered in any proper sense an agent of the general government, yet his emolument as such is liable to State taxation. He cannot be regarded in a better light than a clerk in postoffice, and it has been decided by the Supreme Court of Massachusetts that the income of such clerk derived from his employment as such, is taxable by the State. *Melcher vs. City of Boston*, 9 Met. 73. That case was distinguished from *Dobbins vs. Commissioners of Erie County*, 16 Pet. 435, in which a tax upon the "office" of a Captain in the United States Navy by a statute of Pennsylvania, was held to be contrary to the Federal Constitution. The Massachusetts Courts intimate that the decision in Dobbins' case might have been different had the tax been imposed upon the income instead of the "office" of the party. However that might be, it is certain that the present defendant cannot claim any immunity from State taxation on the ground of his having been an officer of the United States. The judgment of the Court below is believed to be right and must be affirmed.

WILLIAM H. BATTLE.

Mr. N. P. Willis's last letter was the following, published in the *Home Journal*.—He who could write such a letter under such circumstances is a true man after all :

SICK ROOM IDLEWILD,
December 4, 1866.

Dear Philips—The promptness and efficiency and devotion with which you sprang to my side on the doctor's announcing me a dying man at my city lodgings were memorable, indeed ! You got me home on that beautiful

[REPORTED FOR THE JOURNAL.]

AN ACT TO RAISE REVENUE.

SECTION 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That for the support of the State Government, and to meet appropriations made by law, the taxes hereinafter designated, payable in the existing National currency, shall be annually assessed and collected under the rules and regulations prescribed in this Act, and in the Act for collecting Revenue, ratified March 12th, 1866, all the provisions of which, except so far as modified or repealed, shall be held applicable to secure the assessment, collection and return of the taxes, herein imposed.

RULES OF TAXATION.

RULE 1. Taxes hereinafter imposed on purchases, sales, or receipts, earnings, income or profits, shall be, unless otherwise directed, on the total amount thereof during the year preceding the 1st day of April of each year; *Provided*, that purchases, sales, or receipts, earnings or profits on which taxes were paid for the three months, preceding the 1st day of July, 1866, under the Revenue Act, ratified March 12th, 1866, shall be exempt.

RULE 2. Articles taxed *ad valorem* shall not be liable to such tax, when in the hands of traders and others who list the purchases or sales of said articles.

RULE 3. Property and purchases, sales or receipts, taxed at a higher rate, shall not be liable to pay any other tax, at a lower rate, but the imposition of a tax for license to carry on any trade or business, shall not relieve the property or stock in trade from the property tax, unless there is likewise a tax on the receipts, purchases, earnings or sales of such business or trade.

RULE 4. Where the purchases, receipts, earnings or sales of any Corporation or joint stock Company are taxed the shares of stock therein owned by individuals shall not be liable to *ad valorem* tax.

RULE 5. Corporations and joint stock companies, except as hereinafter is excepted, shall be liable to taxation in the same manner as individuals, and shall list their property and other taxables, through their chief officer or agent, and no person shall be required to include, as part of his personal property and investments, any share or portion of the capital stock or property of any Company or Corporation, which is required to list its capital and property for taxation in this State.

RULE 6. Railroad, Turnpike, Plankroad, Canal and Navigation Companies shall not be required to list their property or capital, but the shares thereof shall be listed by the stockholders thereof as part of their investments.

RULE 7. The powers and duties in this Act, or in any other Act, relating to the collection and return of State and county Taxes, entrusted to and required of Sheriffs, shall likewise be entrusted to and required of "Tax Collectors," when such officers are in any county appointed.

RULE 8. Wherever the Sheriff is authorized to collect taxes on unlisted subjects, he is authorized and required to administer an oath, to ascertain the true amount of taxes due.

SCHEDULE A.

The property and other subjects, designated in the several sections of this schedule, shall be annually listed at the time designated in the said Act for collecting revenue, to the list-taker in the several districts of the counties, and where taxed *ad valorem*, shall be listed at the value thereof, in national currency, on the 1st of April preceding. Until otherwise directed by the General Assembly, real property shall be rated at the valuation of 1860, as modified in certain cases, by the assessment of 1866, under the provisions of sections 28 and 29 of the Act for Collecting Revenue, and by such further modifications as may be hereafter made, under the provisions of said sections. There shall be a new valuation of real estate during the year 1868, as prescribed in said Act for Collecting Revenue. The tax herein imposed shall not be on said valuation, but the same shall be reported by the Clerks of the several County Courts, on or before the 1st day of August of said year, to the Public Treasurer, by him to be laid before the next General Assembly. The personal property shall be valued on oath, by the tax-payer, at the usual selling price of similar property at the time of listing, but at the place where the same may then be, and if there be no usual selling price, known to the person whose duty it shall be to fix a value thereon, then at such price as it is believed could be obtained therefor in money, at such time and place. It shall be the duty of the list-taker to examine carefully each return presented to him, and if, in his judgment, he shall find the property embraced in the same below the value thereof, it shall be his duty to assess the true value thereon. If the person making such returns shall be dissatisfied with the valuation of the list-taker, he may select some disinterested person, and the list-taker shall choose a second, and these two a third, a majority of whom shall determine the amount of assessment on the property embraced in the said return.

1. POLL TAX.

On each taxable poll or male between the ages of 21 and 45, except those maimed or permanently disabled, and also except such poor and infirm persons as the County Court may declare and record to be subjects of exemption, the tax shall be fifty cents. It shall be the duty of all persons and corporations to list and pay the tax of such persons liable to the same, as are in their employment, on the 1st day of April of each year, as laborers, and the amount of said tax may be retained out of any moneys due such employees. Such employees shall be listed in the County where they are employed. And upon failure so to do, any person or persons, subject to such poll tax, removing himself or selves from one county into another, on, before, or just after the 1st day of April of each year, shall take with him or them a certificate from the tax-list taker of his or their district, or some other responsible man, who may have listed him or them, showing him or them to be duly listed for said tax. Upon failure so to do, shall be subject to double tax, retained from his or their wages by the first person employing him or them, whose duty it shall be to pay over the same to the Sheriff and take his receipt therefor, otherwise be subject to said double tax in every instance ascertained, and collectible by distraint.

CLASS 1.

The following subjects in Class 1st, shall pay a tax of one-tenth of one per cent., on the cash value thereof, to be estimated as hereinbefore prescribed:

SECTION 1. Real property, with the improvements thereon, including entries of land.

SEC. 2. All wagons and other farming utensils, neat cattle, hors s, mules, asses, jennets, hogs and sheep, made and raised for sale.

SEC. 3. Household furniture exceeding $300 in value. This paragraph includes, besides other furniture, clocks, pictures, other than family portraits, and books, over the value of $500.

SEC. 4. Agricultural products, except family supplies for one year, in the hands of the producer after the expiration of twelve months from the time the same were produced.

SEC. 5. Agricultural products, in possession of a purchaser, who does not pay tax on such products as a merchant or trader. Family supplies for one year shall be exempt.

SEC. 6. Solvent credits, deducting therefrom the liabilities of the tax payer as principal and as surety. Here the principal is invested with the term "credits" to include all claims or demands owing to the tax payer, whether due or not, whether payable in money or other things, and whether owing by persons within or without the State.—Merchants and other traders shall not be bound to list the credits accruing in the regular course of their business, during the twelve months preceding the 1st day of April of the year of listing. No deduction shall be made on account of any obligation given to an insurance Company, except to the amount of an assessment already made, nor on account of any unpaid subscription to any institution, society, corporation or company.

SEC. 7. Investments in public bonds and stocks, and the bonds and stocks, or shares, of such corporations and joint stock companies, as do not list their property for taxation as prescribed in Rule 5. This section shall include securities of any State or Government, or municipal corporation not exempt by the laws of this State or the United States; also shares of Stock in Railroad, Turnpike, Plank Road, Canal and Navigation Companies, whether in or out of the State, as prescribed in Rule 6.

SEC. 8. Moneys above $100 in value, the term "money," to include coin, bullion, bank notes, and the notes of any State or Government, designed to circulate as money, also deposits in this State or elsewhere, with individuals or corporations, payable on demand. Coin and bullion, as well as notes, shall be listed at their value in such currency as is commonly paid for taxes.

SEC. 9. Ships, Barges, Boats and other water crafts, or any interest therein, with their tackling, rigging and furniture, and all else pertaining to them, if exceeding one thousand dollars in value, whether in the waters of this State at the time of listing or not.

SEC. 10. Capital invested, used or employed in any trade or business, other than is mentioned specially in this class, except where said trade or business is taxed in this Act on the purchases, sales or receipts thereof.

SEC. 11. All shares of stock in any National Bank, located within this State, whether held or owned by residents or non-residents of this State, shall be listed for taxation and taxed in the county where the Bank is located, one-tenth of one per cent. on the value of said shares, to be listed and paid by the Cashier.

CLASS 2.

The subjects mentioned in Class 2d shall pay a tax of one-half of one per cent. *ad valorem.*

SEC. 1. Gold, silver, and other watches, if exceeding $10 in value.

SEC. 2. Gold and silver ware and plated ware, if exceeding in value $25.

SEC. 3. Jewelry worn by males, including watch chains, seals and keys, if collectively exceeding $25 in value.

SEC. 4. Pleasure carriages and other vehicles, for the conveyance of persons, and also pleasure horses, if exceeding $50 in value.

SEC. 5. Harps, pianos, violins and other musical instruments in use, if exceeding in value $50.

SEC. 6. The amount of salaries and fees, if exceeding $500, received or which might have been received, during the year, either in money or thing of value, in consideration of the discharge of any office or employment, in the service of the United States, or of this or any other State or of any Company, firm or person, except where the service is exclusively that of a minister of the gospel.

CLASS 3.

SECTION 1. The subjects and persons mentioned in this class shall be taxed as is specially mentioned on the net income and profits derived by each person, joint stock company and corporation, from any occupation, employment or business in which they may have been engaged, and from every investment of labor, skill, property or money and the net income and profit from any source whatever (except "salaries and fees") during the year preceding the 1st day of April in each year, as follows: If said income amounts to $500, and less than three thousand dollars, one-half of one per cent.; if amounting to three thousand dollars and upwards, one per cent. The tax imposed in this section shall be in addition to other taxes in this Act imposed, except where laid on gross receipts and dividends and profits elsewhere taxed, and shall include interest on securities of the United States, of this State, or other State or Government.

In estimating the net income, the only deduction by way of expenses shall be, first, taxes other than the income tax due this State.

Second, Rent for use of buildings or other property, or interest on incumbrances on property, used in the business from which the income is derived.

Third, Usual or ordinary repairs, but not for new buildings or permanent improvements.

Fourth, Cost or value of the labor, (except that of the tax-payer himself,) raw material, food, and all other necessary expenses incidental to the business from which the income is derived.

The tax-payer shall return to the list-taker, the gross amount of his income, and the gross amount of expenses to be deducted therefrom.

SEC. 2. Every person who brings into the State, or buys from a non-resident, his agent or consignee, by sample or otherwise, spirituous or vinous liquors, ale, porter, lager beer, or other malt liquors, for the purpose of sale, ten per cent. on the amount of his purchases during the year preceding the 1st of April of each year. Such tax not to be less than fifty cents per gallon.

SEC. 3. Every person, who buys to sell again, spirituous, vinous or malt liquors, from the maker in this State, his agent, factor or consignee, five per cent. on the amount of his purchases during said year, not to be less than ten cents per gallon; *Provided*, That whenever the purchaser of liquors mentioned in this or the preceding section agrees to pay the tax due the United States or in this State on such liquors, said tax shall be held part of the purchases. Any person in possession of any of the liquors named in this or the preceding section, shall be deemed liable to pay the highest of said taxes, unless he proves by the oath of himself and also of a credible witness, or certificate of a Sheriff or list-taker, that the said liquors have been duly listed in this State.

SEC. 4. The tax on Public Ferries, Toll Gates, Toll Bridges, shall be on the net receipts, if exceeding $500, ten per cent., on Gates across highways ten dollars.

SEC. 5. Every merchant, jeweller, grocer, druggist, produce dealer, and every other trader, who, as principal or agent, carries on the business of buying or selling goods, wares or merchandise of whatever name or description, one-tenth of one per cent. on the total amount of his purchases, in or out of the State, for cash or on credit.

Commission merchants, factors, produce brokers, and other persons selling for others as factors or agents, shall pay a tax of one-fifth of one per cent. on the gross amount of their sales during the year.

The tax on purchases or sales, as the case may be, of articles, the growth or manufacture of this State, if bought in the State, and articles, the growth or manufacture of adjoining States, if brought into this State for sale by the grower or manufacturer, shall be only one-twentieth of one per cent.

Purchases taxed at a different rate from that imposed in this section, shall not be listed under this section. Merchants and other traders shall list separately their purchases of liquors, ready made clothing and other articles taxed at higher rate.

SEC. 6. Dealers in ready made clothing for males shall pay one-half of one per cent. on the total amount of purchases during said year.

SEC. 7. On the gross receipts of hotels, restaurants, and eating houses, if exceeding $300, the tax shall be one-fourth of one per cent.

SEC. 8. On the gross receipts of gas companies, one-half of one per cent.

SEC. 9. Every money, exchange, bond or note broker, private banker or agent of a foreign broker or banker, in addition the *ad valorem* tax on their capital invested, and the tax on their net income shall pay, if employing a capital of twenty thousand dollars, or more, a license tax of one hundred dollars, if a capital of less than twenty thousand dollars and not less than ten thousand dollars, fifty dollars, and if a capital of ten thousand dollars or less, a tax of twenty-five dollars, and also ten dollars additional for each county in which they have an agency.

SEC. 10. Every person who purchases in or out of the State for sale, or brings into the State for sale, playing cards, shall pay a tax of twenty-five cents for each separate deck or pack so bought or brought into the State. For failure to list and pay this tax, the Sheriff shall collect by distress or otherwise, $500, one moity of which shall be accounted for as taxes, the other moity to be retained by the Sheriff.

SEC. 11. On each stud-horse and jackass let to mares for a price, there shall be a tax equal in amount to one-half the price charged for the season.

SEC. 12. Every person who, for himself or as agent of another, sells riding vehicles manufactured out of the State, shall pay one per cent. on his sales.

SEC. 13. Every auctioneer, on all goods, wares or merchandize, sold by himself, whether the growth or manufacture of this State or not, shall pay one-half of 1 per cent. on the gross amount of sales, and if by itinerant traders, or such as are not residents of the State, two per cent. on the gross amount of sales, subject to all the regulations and exceptions, set forth in the tenth chapter of the Revised Code, entitled "Auctions and Auctioneers."

SEC. 14. Every dirk, bowie knife, pistol, sword cane, dirk cane and rifle cane, (except arms used for mustering and police duty,) used or worn about the person of any one, at any time during the year, one dollar: *Provided*, That any person who shall wear said weapons and fail to list the same and pay the tax, shall be guilty of a misdemeanor, and shall forfeit the weapon worn, the same to be sold by the sheriff and the proceeds of said sale to be appropriated to the county fund.

Parents and guardians shall list any of said arms worn or used as aforesaid by their minor children or wards.

SEC. 15. Persons commonly called "dead-heads," traveling on Railroads or Canals, paying nothing or less than two cents per mile, shall be taxed one cent for each mile so traveled during the year preceding the 1st day of April; but public officers; officers of Railroad and Canal Companies, and Ministers of the Gospel, shall not be held to list the number of miles traveled on official duty.

SEC. 16. Upon all real and personal estate, whether legal or equitable, situate within the State, which shall descend or be devised or be bequeathed to any collateral relation or person, other than a lineal descendant or ancestor of the husband or wife of the deceased or husband or wife of such ancestor or descendant, or to which such collateral relation may become entitled, under the law, for the distribution of intestate estates, and which real and personal estate may not be required in payment of debts and other liabilities, the following per centum tax upon the value thereof shall be paid:

CLASS 1.

If such collateral relation be a brother or sistsr of the father or mother of the deceased, or issue of such brother or sister, a tax of one per cent.

CLASS 2.

If such collateral relation be a more remote relation, or the devisee or legatee be a stranger, a tax of one-and-one-half per cent.

The real estate liable to taxation shall be listed by the devisee or heir in a separate column, designating its proper per cent. tax.

The personal estate or real estate reduced to assets, shall be liable to the tax in the hands of the executor or administrator, and shall be paid by him, before his administration account is audited or the estate is settled, to the Sheriff of the county. If the real estate decended or devised shall not be the entire inheritance, the heir or devisee shall pay a *pro rata* part of the tax, corresponding with the relative value of the estate or interest.

If the legacy or distributive share to be received shall not be the entire property, such legatee or distributee shall in like manner pay a *pro rata* part of the tax, according to the value of his interest.

Whenever the personal property in the hands of such administrator or executor, (the same not being needed to be converted into money in the course of the administration,) shall be of uncertain value, he shall apply to the County Court to appoint three impartial men of probity, to assess the value thereof; and such assessment being returned to Court and being confirmed, shall be conclusive of the value.

To facilitate the collection of the tax on collaterals, every executor or administrator shall return in his inventory, whether the estate of the deceased goes to the lineal or collateral relations, or to a stranger, and if to collaterals, the degree of relationship of such collaterals to the deceased, under a penalty of one hundred dollars, to be recovered in the name and for the use of the State, and it shall be the duty of the Clerk of the Court of Pleas and Quarter Sessions, to furnish the Sheriff with the names of the executors and administrators, who make such returns, after each and every term of his Court.

SCHEDULE B.

The Sheriff shall collect the taxes set forth in this Schedule annually, unless otherwise directed, and shall, unless provision is made to the contrary, grant to the tax-payer license to carry on his business, or use the articles taxed, until the 1st day of July ensuing. But persons having already paid tax under the Revenue Act, ratified March 12, 1866, for license to carry on any business, or use any article for 12 months from July 1st, 1866, shall not pay any further tax under this Act, prior to July 1st, 1867. Retailers of spirituous liquors, who have paid tax according to law, may retail for twelve months from the time of issuing their licenses without further payment. There shall be no license required of horse and mule drovers, and itinerant sellers of live stock, books and other articles, as mentioned in proviso 3, section 18 of this Schedule.

SEC. 1 Traveling Theatrical Companies for each County, shall pay ten dollars for each exhibition when Theatrical exhibitions are by the season of not less than three months, the tax shall be one hundred dollars.

SEC. 2. On Concerts and Musical Entertainments for profit, shall be paid for each county five dollars. On each Lecture for reward, five dollars.

SEC. 3. On Menageries, Museums, Wax Works or Curiosities of any kind, natural or artificial (except paintings and statuary) on each days and nights exhibiting, shall be paid ten dollars.

SEC. 4. On every exhibition of a circus, for each day or part of a day, twenty dollars for each county, and for each side show to a circus, five dollars.

SEC. 5. On itinerant companies or persons who exhibit for amusement of the public, otherwise than is mentioned in the four preceding sections, for each county five dollars. Exhibitions of the character mentioned in the preceding sections, in counties whose seats contain less than one thousand inhabitants, shall be taxed only one-half the amount above designated. Exhibitions given without charge for admission, and also those exclusively for charitable objects, shall be exempt.

SEC. 6. On each public exhibition of Spirit rappings, or other device by whatever name called, which professes to reveal communication from the Spirits of the living or dead, for profit or otherwise, one hundred dollars.

SEC. 7. On all gift enterprises, or any person or establishment offering any article for sale, and proposing to present purchasers with any gift or prize, as an inducement to purchase, within the limits of the State, ten dollars for each day, such person or establishment continues in operation.—This tax shall not be construed to relieve such persons or establishments from any penalties incurred by violation of law.

SEC 8. Every Insurance Company incorporated by this State, taking new policies, $50.

SEC. 9. Every Agency of a bank incorporated out of the State, $250.

SEC. 10. The tax on public billiard tables shall be $50 each, on private billiard tables $10 each. When said tables may be used for four months or less, one-half the above rates shall only be payable.

SEC 11. To keep a ten pin alley or a alley of like kind, orbowling saloon, or bagatelle table, or any other table, stand or place, for any other game or play, with, or without a name, unless such alley, stand, place, or game, is kept for amusement or exercise alone, and not prohibited by law, there shall be a license tax of $25. When the same may be used for four months or less, one-half of the above rates shall only be paid.

SEC. 12. Any person whose occupation is to keep horses or vehicles to let or to carry persons or things for reward, shall pay a tax of five dollers, and, in addition, fifty cents for each stall.

SEC. 13. Every licensed retailer of spirituous liquors, wines or cordials, $50 for one year. Every retailer of malt liquors only shall pay $20. The taxes in this section, shall be in addition to the tax imposed on purchases of liquors in Schedule A.

SEC. 14. Any person using a distillery for spirituous liquors, distilled for his own use or for sale, or for others, shall pay, if from grain, twenty-five cents per gallon. No person shall distil any spirituous liquors from grain without a license from the County Court, or the special Court out of term time, who shall meet at the Court House, and report their proceedings in writing to the Clerk of the County Court. It shall be the duty of the Clerk to inform the Sheriff of the persons to whom licences have been granted, and any person distilling without such license shall pay a tax of ten dollars for every day or part of a day, he may so unlawfully distill.—For the aforesaid taxes and penalty, the Sheriff, if need be, shall distrain and sell the still and fixtures, as well as any other property of the party liable. It shall be the duty of the Sheriff to collect the taxes, by this section imposed, quarterly, on the first days of April, July, October and January, and to ascertain the amount thereof, he may enter on the premises where the still is located and may examine the books of the distiller. If the distiller should refuse to disolose, on oath, the number of gallons by him distilled, he shall pay as taxes $500, which the Sheriff shall collect by distraint of still and fixtures, or any other personal property of the distiller, three-fourths of which shall be accounted for his taxes, and one-fourth he may retain to his own use.

SEC. 15. Every itinerant dentist, portrait or miniature painter, daguerrean artist and other persons taking likenesses of the human face, ten dollars for each county in which he carries on his business: *Provided*, That such person as shall furnish satisfactory evidence to the Sheriff of the county in which he proposes to practice, that he is a resident of the State, and has listed the receipts of his profession for the previous year, shall be exempt from the tax imposed in this paragraph.

SEC. 16. Every non-resident horse or mule drover, or person who receives horses or mules to sell for a non-resident, one-half of one per cent. on the amount of each sale or profit made by exchange of horses or mules, due as soon as the sale is effected, and upon his neglect or failure to pay such tax, in every county in which he sells, he shall forfeit and pay the sum of one hundred dollars, which shall be collected by the Sheriff by distress or otherwise, one-half to his own use and one-half to the use of the State. Every horse or mule drover shall be considered a non-resident, unless the Sheriff has satisfactory evidence that he is a resident of the State; and the Sheriff shall have power and authority to examine on oath, at any time, any horse or mule drover or person who receives horses or mules to sell for another, as to whether he has made any sale or exchange, and as to whether he is a non-resident, or agent of a non-sident, and on his failure to answer, he shall be subject to the same penalty as for failure or neglect to pay such tax.

SEC. 17. Every stud horse or jackass let to mares for a price, belonging to a non resident of the State, ten dollars, unless the highest price demanded for the season for one mare, exceed that sum, in which case the amount thus demanded shall be paid for the license. The payment to one Sheriff and the license under his hand, shall protect the subject in this paragraph named in any county in the State. Every stud horse or jackass shall be considered as belonging to a non-resident, unless the Sheriff is furnished with satisfactory evidence that the owner is a resident of the State.

SEC. 18. Every person that peddles goods, wares or merchandize, either by land or water, not the growth or manufacture of this State, or any drugs, nostrums or medicines, whether such person travel on foot or with a conveyance or otherwise, shall first have proved to the County Court or three justices out of the term time, that he is of good moral character, and shall have obtained from the Court or justices, (who may, in its discretion, make or refuse,) an order to the Sheriff to grant him peddler's license, to expire on the first of July next ensuing. And the Sheriff, on production of a copy of such order, certified by the Clerk of such Court, shall grant such license for his county on the receipt of twenty dollars tax: *Provided*, (1.) That not more than one person shall peddle under one license. (2.) That any person who temporarily carries on a business as merchant in any public place, and then removes his goods, shall be deemed a peddler. (3.) That nothing in this section contained shall prevent any person from freely selling live stock, vegetables, fruits, oysters, fish, books, charts, maps, printed music, or the articles of his own growth or manufacture.—(4.) That nothing herein contained shall release peddlers from paying the tax imposed in this Act, on persons who deal in the same species of merchandise, which tax shall be collected or secured in the same manner as in the case of other merchants and traders.

SEC. 19. Every itinerant who deals in or puts up lightning rods, five dollars for each county in which he carries on his business.

SEC. 20. Every itinerant who sells spirituous liquors, wines or cordials, not the product of his own farm, in quantities equal to one quart and less than one barrel, shall pay twenty-five dollars for every county, and be under the same rules and restrictions as prddlers, except that an order from Court or Justices shall not be required for a license.

SEC. 21. Every company of Gypsies, or strolling company of persons who make a support by pretending to tell fortunes, horse trading, tinkering or begging, fifty dollars in each county in which they offer to practice any of their crafts, recoverable out of any property belonging to any one of the company. But nothing herein contained shall be so construed as to exempt them from indictment, or penalties imposed by law.

SEC. 22. Every non-resident or drummer, or agent of a non-resident, who shall sell any spirituous, vinous or malt liquors, goods, wares or merchandise, by sample or otherwise, whether delivered or to be delivered, shall pay on his sales a tax of like amount, as is payable by residents on their purchases, or sales as the case may be, of similar articles. Before making such sales, he shall obtain from the Sheriff of the county in which he proposes to do business, a license in writing, which the Sheriff may give on his entering into bond in the sum of $500 with sufficient security, conditioned to pay the taxes herein imposed, whenever demanded by the Sheriff. Any person violating the provisions of this paragraph, shall forfeit and pay $500 to the Sheriff, to be collected by distress or otherwise, $400 of which shall be accounted for as other tax, and the residue he may retain to his own use, or to the use of the informer.

SEC. 23. Section 80 of the "Act for Collecting Revenue," ratified the 12th day of March, 1866, shall be amended to read as follows:

It shall be the duty of the Sheriff to demand, that every merchant, trader, auctioneer, commission merchant, liquor seller or other person required to list their purchases, sales or receipts, commencing business after the 1st of April of each year, shall give bond with sufficient security payable to the State in double the supposed amount of taxes, conditioned that he will list his purchases, sales or receipts and pay taxes on the same as the law requires. The Sheriff failing to perform the duties of this section imposed, shall be liable to pay the taxes which, by such negligence he fails to collect. If such merchant or trader shall desire to leave the State before the time of listing taxables, he may list and pay to the Sheriff, who is authorized to surrender the said bond, if in his opinion, a fair disclosure is made to him.

SEC. 24. Section 96 of the Act for Collecting Revenue shall be amended to read as follows: The Sheriff, for his services in collecting and paying the public taxes into the Treasury, shall receive a compensation of two per cent. on the nett amount received by him from the Clerk for taxes imposed by Schedule C of the Revenue Act, and five per cent on sums not exceeding ten thousand dollars collected by him from every other source, and on the excess of then thousand dollars four per cent., to be deducted in the settlement of his account with the Comptroller. For collecting and paying County taxes, for whatever purpose laid, the Sheriff shall receive the same per centum compensation, as above allowed on public taxes.

SCHEDULE C.

The taxes embraced in Schedule C shall be listed and paid as is specially therein directed.

SEC. 1 Every Express Company shall make return to the Public Treasurer on or before the 1st Mondays of January, April, July and October of each year, of the gross earnings and receipts of such Company within the State of North Carolina, during the three months next preceding. The said report shall be verified by the oath of the chief officer or agent of the Company, at its principal office in the State, and he shall require from the several agents employed by the Company, a report of their transactions, on oath, which report shall accompany the report of the chief officer.—The said Company shall, on or before the 3d Monday of each of said months, pay on gross receipts one per cent. for each three months and for failure to make such report, or pay such tax, the Company shall pay as taxes $2,000, to be collected by such sheriff, as the Public Treasurer may designate by distress or otherwise.

SEC. 2. Every Telegraph Company doing business in this State, shall, at the times and in the manner prescribed in the preceding section, make report of the receipts of said Company within this State, and pay to the Public Treasurer one-half of one per cent. for each three months, and in case of default of such report or payment, the Company shall pay as tax of $1,000, to be collected by such Sheriff as the Public Treasurer shall designate, by distress or otherwise.

SEC. 3. Every Insurance Company, not incorporated by this State, doing business therein, shall, in April and October of each year, make report to the Public Treasurer, on oath, showing the amount of assessments collected, or premiums received, and obligations for premiums from such busines for the six months ending on the 1st day of April and October next preceding, and shall immediately pay one per cent. on the amount of said assessments, premiums and obligations for premiums. On failure to comply with the provisions of this section, the Company shall pay as taxes $2 000, and the principal agent shall be liable therefor, to be collected by such Sheriff as may be designated by the Public Treasurer, by distress or otherwise.

SEC. 4. The chief officers of Banks, including Savings Banks, and such Insurance Companies as are incorporated by this State, shall, in April and October of each year, certify on oath, the amount of dividends declared, or which have been earned, if any, and shall pay into the Public Treasury upon such dividends three per cent. On failure to comply with the provisions of this section, said Banks or Companies shall pay as taxes $1,000, to be collected by such Sheriff as the Public Treasurer may designate, by distress or otherwise.

SEC. 5. Whenever the seal of the State, of the Treasury Department, a notary public, or other public officer required by law to keep a seal, is all be affixed to any paper, except as hereinafter is excepted, the tax shall be as follows, to be paid by the party applying for the same: For the seal of the State, one dollar, to be collected and paid into the Treasury by the Private Secretary of the Governor; for the seal of the Public Treasurer, to be collected by him and accounted for as other public monies, fifty cents; for the seal of the Supreme Court, fifty cents, to be collected by the Clerk and paid by him into the Treasury, and for the seal of a Notary Public, or other public officer, twenty-five cents, to be collected and paid over by the officer collecting the same, to the Sheriff of the county where such seal is kept.—Said officers shall keep an account of the number of times their seals may be used, and shall deliver to the proper officer a sworn statement thereof.

Whenever a scroll is used in the absence of a seal by any of said officers, the said tax shall be on the scroll. Seals made for the use of any County or State, or other Government, or used on the Commissions of officers in the militia, Justices of the Peace, or any public officer not having a salary, or under the pension laws, shall be exempt from taxation; *Provided* That the provisions of this section shall not extend to seals of Courts of Equity, Superior or Criminal.

SEC. 6. On each marriage license, mortgage deed, marriage contract, and deed in trust to secure creditors, there shall be a tax of one dollar. On every other deed conveying or contracting to convey title to real estate, and on all other instruments requiring registration, where the consideration exceeds $300, and less than $1,000, 50 cents, and 25 cents in addition for every additional $1,000. Where any of the foregoing instruments are proved before the Clerk of the County Court, he shall be charged with the collection of the tax as heretofore. Where probate is otherwise made, the register shall pay the same, less five per cent. commissions, to the Sheriff, rendering a sworn statement of the number and character of the instruments admitted to registration and of the taxes due thereon, which the Sheriff shall file with the Clerk of the County Court as directed by section 83 of the Act for collecting Revenue.

SEC. 7. On every Charter of incorporation of any Campany granted by the General Assembly, other than those for Charity, Benevolence or Literature, when the corporations had power to become incorporate under the provisions of chapter 26, Revised Code, entitled "Corporations," and on any amendment of every such charter whether originally granted by the General Assembly or secured by letters patent or otherwise, there shall be a tax of twenty-five dollars paid directly to the Public Treasurer. No Company shall be organized under such special act of incorporation or derive benefit from any act to amend their Charter without first obtaining a certified copy of such act from the Secretary of State, which shall not be furnished until the Treasurer's receipt for the said tax shall be filed in the office of the said Secretary. The benefits of this section shall extend to all corporations granted at the sessions of the Legislature for 1865 and 1866, and the Convention of 1866, not heretofore accepted by the corporators.

SEC. 8. The following property shall be exempt from taxation, in addition to those articles specially mentioned as exempt:

1st. The property belonging to the United States or this State, or to any county or incorporated city or town.

2d. The property belonging to and set apart and exclusively used for the University, Colleges, Institutes, Academies, Schools for the education of youth, or the support of the poor or afflicted.—Such property as may be especially set apart for and appropriated to the exercises of divine worship or the propagation of the Gospel, or used as parsonages.

3d. Such property as may be set apart for grave yards and burial lots, except such as is held with the view to profit, or for the purpose of speculating in the sale thereof.

4th. Such property of the State and Agricultural Societies, as may be set apart and used by them for agricultural fairs.

5th. All fire engines and other implements used for the extinguishment of fires, with the buildings exclusively used and necessary for the safe keeping thereof.

6th. Each person in this State may hold exempt from taxation personal property of any description, of which he is the actual owner, not exceeding one hundred dollars in value, except such property as is specifically taxed.

7th. The property and polls of all persons, who have lost an arm, leg, hand or foot, or who have been disabled from performing ordinary manual labor by any other wound, or any disease or accident; also the property of widows: *Provided*, That the property exempted of such person herein included, shall not exceed two hundred and fifty dollars in value; *and provided further*, That the excess over two hundred and fifty dollars ($250) in value of the property of all such persons, shall be subject to taxation, as other property, and it shall be the duty of the County Courts in the several counties of the State, upon motion, to examine the claims of all persons claiming the benefits of the foregoing section, and upon proof, that they are included within its provisions, to grant certificates of exemption to such persons, which certificates shall be issued by the clerk, and he shall receive no fee therefor.

SEC. 9. The Act of the General Assembly, ratified March 12th, 1866, entitled "an Act to Raise Revenue" and all other laws imposing taxes, the subjects of which are revised in this Act, are hereby repealed: *Provided*, That this repeal shall not extend to the provisions of any law so far as they relate to the taxes listed or which ought to have been listed, or which may be due previous to the ratification of this act.

SEC. 10. *Be it further enacted*, That this act shall be in force from and after its ratification.

Ratified February 26th, 1867.

R. Y. McADEN,
Speaker House of Commons.
M. E. MANLY,
Speaker Senate.

Omitted.

We are now publishing the most important public Acts passed by the present session of the Legislature, and in order to lay them before our readers at the earliest day possible we have been compelled to omit entirely, in this paper, the daily proceedings of that body. We have adopted this course, believing our readers will prefer to see the laws in full.

The English government will not interfere in India to prevent dying Hindoos being suffocated in the sacred Granges.

LATEST NEWS
BY TELEGRAPH.

A Proclamation from Brownlow.

NASHVILLE, Feb. 27—NOON.

Brownlow has issued a proclamation to the effect that he will call out the militia to defend Union men against evil-doers.

Markets.

NEW YORK, Feb. 27—6 P. M.

Cotton buoyant under the advance in gold—sales of 750 bales at 31@31½ cents. Flour steady—prices stiff and unchanged. Wheat firmer. In Corn there is a large speculative enquiry—prices have advanced 1@2 cents. Provisions quiet and unchanged. Whiskey quiet. Groceries quiet.—Coffee firm. Rice 10½ cents. Naval Stores quiet. Freights unchanged.

Five-twenties of '62, 111½@111¾. Gold 139½.

BALTIMORE, Feb. 27—6 P. M.

Cotton dull and declining; Middling Uplands 30@30½ cents. Coffee firm. Flour dull. Corn active; white 96@98 cents. Mess Pork $21 75.

MOBILE, Feb. 37—6 P. M.

Cotton dull at 28½ cents—sales of 600 bales.

CINCINNATI, Feb. 27—6 P. M.

Flour unchanged. Wheat firm. Corn is in good demand at 63 cents. Cotton firmer; middling 28 cents. Mess Pork $20 25. Bacon is in fair demand.

NEW ORLEANS, Feb. 27—6 P. M.

Cotton—sales of 6,300 bales—prices firm; low middling 29½@30 cents. Receipts 4,615 bales.—Flour—super $11 50. Corn $1 12@$1 15. Oats dull at 95 cents. Tobacco unchanged. Gold 139½@139¾. Sterling exchange 149@150; New York Sight exchange ½ ₱ cent. discount.

OUR CABLE DISPATCHES.

LONDON, Feb. 27—P. M.

Consols 91. Bonds 73¼.

LIVERPOOL, Feb. 27—P. M.

Cotton is a little more active—sales of 8,000 bales; middling Orleans 13¾d.; middling Uplands 13¼d. Breadstuffs dull. Provisions unchanged.

The Sherman Bill.

Instead of giving any views of our own on the "Sherman bill," we beg leave to commend to our readers the following analysis of it, from the Richmond *Enquirer* and to endorse the wisdom of the advice with which the article closes. The Supreme Court of the United States alone can rescue the South from the fatal grasp in which fanaticism is strangling her. We have faith still in that hitherto pure and exalted tribunal. It has more than once proved a "breakwater" against the waves of popular fury in party times, and it may yet again entitle itself to the love and gratitude of the American people:

1st. The declaration that the Southern States have no legal governments; and that such governments as exist here, shall be permitted merely during pleasure, and only as provisional, and shall be abolished, modified, controlled or superseded, in the discretion of Congress.

2d. Said States are at once placed under military rule, their governments subordinated to martial law, and superseded or controlled in the discretion of commanders of departments, military commissions authorized for the trial of such persons as the commanders may choose to arrest, and all interference of the State authority for the protection of citizens, declared null and void.

3d. During the permitted continuance of the present State organizations, no person shall be eligible to any office under them, who comes under the proscriptions of the constitutional amendment. That is to say, no one who had ever held an office State or Federal, which required him to take an oath to support the Constitution of the United States, and afterwards took the Southern side in the late war, either by active participation or by giving aid and comfort.

4th. Further, during the permitted continuance of the present State organizations, the elective franchise is so controlled and modified, that all qualifications for suffrage are abolished, except twenty-one years for age, one year for residence, and male or sex; while all those are proscribed as above stated, from holding office.

So much for the condition of the States, under their provisional governments. The following is the way of escape into a permanent establishment:

5th. If any State shall form a Constitution through a Convention elected by a suffrage and under the restrictions above provided,—and if said Constitution by a like vote be ratified, and shall make said suffrage the permanent law of the State,—and if said Constitution after submission to Congress, shall be approved by it—and if a Legislature elected under said Constitution, shall ratify the Constitutional amendment, then said State shall be declared entitled to representation in Congress, and the military rule shall cease therein.

Such is the scheme. Diabolus could not have contrived one more utterly unwise, unjustifiable, inhuman and tyrannical. It is useless to argue against such unbridled passion as alone could have suggested and adopted it. "He who spits against the wind, spits in his own face." The fundamental proposition of the whole, is that which denies the existence and integrity of our State organizations. Our defence lies in traversing this position. Our only mode of making this defence is by an appeal to the Courts. This it is our duty to make. A case must be made up; and we suppose it may be speedily done under the 3d of the above recited points, on the question of eligibility to office. It will be contended by the hungerers and thirsters that the proscription will displace those liable to it, who are now in office. An order for ejectment, or an application to prohibit it, will get the question before the courts. If it be held that our State governments are valid, and according to the Constitution, then all the attempts to alter our suffrage, and to dictate qualifications for State office, will be pronounced void. We must bring to judicial test also the right of Congress to pass martial law, and to subordinate the civil to the military in these States, in a time of profound peace publicly proclaimed.

This is all that we can do;—but this it is our duty to do, and the Legislature should make suitable provision. We must be calm and patient, but we owe it to ourselves, and to our children, and we owe it to the cause of Constitutional liberty, to exhaust every civil resource to which we can appeal, against the enormous injustice contrived against us. If the Supreme Court shall decide unpropitiously,—if it shall rule that a Southern citizen has no rights which Congress is under any obligation to respect,—then we will indeed have heard the knell of Southern hope and American liberty.

The Kentucky Democratic State Convention yesterday nominated John L. Helm for Governor of the State.

**The

THE WILMINGTON JOURNAL.

WILMINGTON, N. C.,

SATURDAY, FEBRUARY 23, 1867.

Amnesty and Pardon.

We publish this morning, as reported for the *Journal*, a very interesting and important decision of the Supreme Court of our State, upon the act of Amnesty and Pardon, passed by the present General Assembly. We had occasion at the time of the passage of the act to refer to it as one not only of wisdom, but founded in justice and humanity. Its influence will gradually permeate throughout our State, and the bad feelings, disagreements and troubles, growing out of the late war, which have long divided some communities and districts, must give way before this beneficent act of the Legislature. The influences which caused its adoption must have a corresponding effect upon those for whom it was intended.

How much our people may have differed before and during the war, these differences should now be obliterated and forever.—North Carolina, by her solemn and voluntary ordinance of May 20th, 1861, entered into the strife with a unanimity unsurpassed, and, in the blood of her bravest and best, she placed the seal upon her act. In her failure to make good what she then undertook, her people have suffered much, and now, amidst the ruin of their former prosperity, weighed down by political and financial troubles which appear insurmountable, with sympathy from none, and in the face of active and vindictive fanaticism, they will certainly no longer bear malice towards those in their own midst who may have differed in the past, and who may have, in the excitement of the moment, been guilty of errors which must be sources of deep regret.

Now, when the day of our supreme trial seems to be upon us, certainly all North Carolinians will catch the spirit which breathes through this act of the Legislature, and amidst a common ruin and universal suffering, past differences will be healed. The decision of the Court, in the case reported, will be approved by every patriotic man, whatever may have been his political status during the past few years.

Connection with the Great West.

We have been looking with deep interest at a movement of the Virginia Legislature on the subject of a connection between the mighty West and the Atlantic through the Old Dominion. We confess to a partiality for whatever received the sanction of that great and venerated man, George Washington; and it is probably known to many of our readers that among the first projects for the improvement in internal transport in America, were sketched by him. That to which he first turned his attention was a communication between the Mississippi Valley and the waters of the Chesapeake. This was greatly more important in that day than at present, as a *national* measure, for the reason that at that time the Spanish government, and subsequently the French, owned the Territory of Louisiana, and of course had in its power New Orleans, the outlet for the produce of that mighty Valley.—In Washington's day it was of the greatest importance to the United States to establish a direct communication between our Western country, (then extending only to the Mississippi river.) and the ports of the Atlantic; and he saw that through the Ohio and Kanawha, and thence to the James river, was the most direct route, and so great was his anxiety to effect this junction at the earliest possible moment, that, as we have heard, he devoted much of his time from 1783, when the war closed to 1789, when he was called to the Presidency, in personal examination of the intervening country, making plats of several routes, to determine which was most eligible. As part of his plan was to improve the navigation of the James river, he took an active part in the incorporation of a company for that purpose, of which company, if our memory is correct, he was the first President. Nothing being known of Railroads in that day, the plan of Gen. Washington was to connect the Kanawha with the James by canal, and the line was indicated by him through Covington to the nearest point on the James. The last movement of Virginia on this subject, some years before the late war, was to run a railroad very nearly on the line originally pointed out for the canal.

We have made these reminiscences in consequence of having seen that, in the present Legislature of Virginia a proposition is pending for reviving and consummating this great scheme originated by the Father of His Country. That it is the most direct route by which the treasures of the mighty valley of the Mississippi may be brought to the Alantic, is obvious from an inspection of the map; that it will be preferable to the circuitous route through the Lakes, on account of the ice of that region in one-half the year, is as obvious; and we learn that the transmission of grain through the Gulf of Mexico has been found (owing to the temperature of that region during a large part of the year) so injurious as to constitute a serious objection to that line of transport. If these things be as represented, the route through Virginia must be preferable to any other, and we need not say that our own Legislature, being now engaged in penetrating into that very section of Virginia by our Western Railroads, through Mt. Airy, gives the subject additional interest to our people.

Disgusting Blasphemy.

The *Union Register*, a paper recently established at Greensboro', in this State, in the course of an article on "compromise", not content with comparing every decent man in the South to the basest criminal, for being guilty of connection with treason and rebellion, speaks of the Saviour of mankind as "the Radical of Nazareth."—We care nothing about the political or religious sentiments entertained by the editor of the *Register*. He has a right to his opinions, however discreditable they may be, but as public journalists, we protest against these disgraceful and disgusting prostitutions of that name which christian people adore, to illustrate the supposed virtues of any political party. However immoral or sinful our people may be, they still retain a sufficient sense of decency to shrink from the publication of such blasphemy, and will not countenance any journal into whose columns it is admitted.—They justly look upon the person who would attach such a *sobriquet* to the name of Jesus Christ as an outrageous blasphemer, and an emeny to public morals—as one who has no regard for the feelings of christian people, and is not deserving of the slighest esteem of his fellowmen. We have never had occasion before to express this sentiment, which is so common to all our people in connection with any publication in North Carolina, and we are glad to believe that the subject of our comments to-day is not of native growth, but is only a specimen of that new code of morals which threatens to overshadow the land. We understand (and we hope correctly) that the Editor of the *Register* is not a North Carolinian. We repeat that we care nothing about his political or religious opinions; he has a right to entertain them; but in the name of all that is sacred, we protest against this mode of exhibiting them. We do not know what the prospects of the *Register* are as to a subscription list; but we feel well assured that, however ably its political theories may be advocated, it can never hope for a large circulation, or any degree of influence so long as it indulges in illustrations which outrage and set at defiance the most sacred feelings of every Christian.—We rejoice to know that the press of the South has never been guilty of the odious and shocking habit of comparing public men, even the best of them, to the Holy Son of God. Such comparisons are blasphemous, and reflect disgrace upon any civilized community, no matter what the peculiar views of the writer on the subject may be.

Texas vs. North Carolina.

Some how we have managed to look upon North Carolina as the best State on this continent. Why we have come to this conclusion we are not prepared to say. It may be from love of nativity, or for climate, or from a life-residence. However our feelings may be, the many reports received from friends who leave the "Old North State" for new climes, certainly go far to make us love our mother more and more. We have been permitted to copy the following extract of a private letter from an intelligent gentleman, who appears to have been anxious to see some of the world.—His experience will no doubt prove beneficial to many others:

"LEXINGTON, TEXAS, Feb. 6th, 1867.

"I seat myself, thinking you would be pleased to have a few lines from these "diggens." I left Wilmington January 2d, and landed in Galveston the 7th. I come *via* Augusta, Atlanta, Montgomery, Mobile and New Orleans. It cost me about $90 from Carthage to Galveston. It was a pleasant trip to Galveston, but anything else since.

"I have been here about a month, and have been traveling nearly all the time—have gone over seven counties said to be the garden spot of Texas; I have found it very difficult and expensive to travel in this State. We are told in North Carolina that Texans take emigrants by the hand and all that kind of thing; but I have found, after much experience, that they take you first by the *purse*, and every one that gets a wipe at you seems determined to 'size your pile.'

"Texas hospitality extends as far as your money goes, and 'nary step' farther. I have traveled in all kinds of ways here, high, low, public, obscure and impenetrable, and almost invariably, every morning, I had to pile out my specie, and often regular tavern prices for miserable accommodations.

"I am pleased with nothing in this country except the fertility of the soil—that is fully equal to all you have ever heard about it. Most of this central Texas, is prairie country, and very little rain falls here. I learn from old settlers that the good crop years will not average more than four out of ten. Some summers they have no rain at all, then they do not make the seed planted.

"The lands on the Trinity, Brazos and Colorado rivers are more certain—there they make more or less every year. Last year being what they call a wet year, the river lands only made about half a bale to the acre, but the uplands averaged a bale. This the prairies may not do again for three or four years.

"The climate, contrary to my expectations, is very unpleasant—some days very mild and warm, then again severely cold. I have felt the cold as sensibly here as I ever did in North Carolina. Diseases of the lungs are very common, being caused by the sudden changes from warm to cold. I had thought that a *norther* was of short duration, but I find that it frequently lasts from one to five days.

"The range here is failing very fast—stock becomes poor in winter, but live the year round without being fed. A gentleman in this county (Burleson) told me that he had been here fourteen years and never had to fatten his pork but twice during the time. I have seen the farmers driving their hogs from the woods to market—fine fat pork, too. Water is very scarce in this county. I have traveled about four hundred miles and think I saw only six running streams.—Only one of these was sufficient to turn a mill.—They do all their grinding and sawing here by steam or horse power. Were it not for the irregularity of the climate and seasons here, this would be one of the finest countries in the world; but that will forever prevent it from being a very desirable place to live in.

"These people live a rough, hard life. They are destitute of a multitude of the comforts and conveniences of life. Timber is very scarce here, hence their buildings, many of them, are very uncomfortable. Every man here, even from the lowest ploughman to the highest professional character, is a "sharper." Hence, the poor "emigrant" is often fleeced of his little means before he turns round often. There is no established system of labor, prices, or anything else here; consequently a "new comer" cannot make his calculations definitely, but has to go it blind, and trust to Providence,—and from present appearances, it would seem that Providence don't have very much to do with this country. In Brenham, they asked me $40 in gold to carry me and my trunk 45 miles. I left my trunk and adopted the infantry mode of transportation. I have walked over 90 miles since I have been in the State.

"My Texas fever has abated very much—it is down about zero now—the entire system is cool—curiosity gratified, &c., &c. I can now adopt fully the sentiments of the song,

"The old North State forever."

Just now I can, to a considerable extent, sympathize with the "Prodigal Son," and am almost ready to say, "I will arise and go." But it is "no go" now.

"All things considered, I think I can do better in North Carolina than I can here. A man can't make much money there, but then a little there, "goes a long ways."

"This country is well adapted to big footed negroes and mules. I can't see anything much that a man can live for here, except it be to eat corn bread and bacon, and drink black coffee. This is the common diet here, even with those who can count their hundreds of cattle, sheep and ponies. You rarely ever see any milk or butter here—too much trouble to milk cows and make butter. A Texan cares for nothing, unless it can be done on horseback. The Legislature of this State is composed of one hundred and twenty-five or one hundred and thirty members, and only nine of the number are native Texans. The Clerk of the Superior Court in this county, is from Robeson county, North Carolina, his name is W. J. Hill. County Judge, Alexander W. McIver, (brother of J. D. McIver) is from Moore county, North Carolina.

"There is one small Presbyterian church in this county, its pastor, Hugh Wilson, is also a North Carolinian, he has been here about thirty years; is now old and frail.

"I advise no one to come here with the expectation of settling, until he makes first a tour of observation."

Important Act.

We publish to-day the Act ratified a few days since, abolishing imprisonment for debt. It is one of the series connected with the relief of the people which has been before our Legislature. The Homestead Law was, at the date of our last report, in the hands of a committee of Conference to reconcile differences between the two Houses. As early after its final passage as possible, it will be published.

The Sherman Amendment.

The following is Senator Sherman's bill, which recently passed the Senate, and defeated in the House:

Whereas, No legal State Governments or adequate protection for life or property now exist in the Rebel States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Florida, Texas and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States until loyal and republican State Governments can be legally established; therefore,

Be it enacted, &c., That said rebel States shall be divided into military districts, and made subject to the military authority of the United States, as hereinafter prescribed for that purpose. Virginia shall constitute the first District; North Carolina and South Carolina the second district; Georgia, Alabama and Florida the third district; Mississippi and Arakansas the fourth district, and Louisiana and Texas the fifth district.

SECTION 2. That it shall be the duty of the President to assign to the command of each of said districts an officer of the army not below the rank of Brigadier General, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned.

SECTION 3. That it shall be the the duty of each officer assigned as aforesaid to protect all persons in their right of person and property, to suppress insurrection, disorder and violence, and to punish or cause to be punished all disturbers of the public peace and criminals, and to this end he may allow local civil tribunals to take jurisdiction of and try offenders, or when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose, and all interference, under color of State authority, with the exercise of military authority under this act, shall be null and void.

SEC. 4. That all persons put under military arrest by virtue of this act shall be tried without unnecessary delay, and no cruel or unusual punishment shall be inflicted; and no sentence of any military commission or tribunal hereby authorized, affecting the life or liberty of any person, shall be executed until it is approved by the officer in command of the district, and the laws and regulations for the government of the army shall not be affected by this act, except in so far as they may conflict with its provisions.

SEC. 5. That when the people of any of said Rebel States shall have formed a constitution of government in conformity with the Constitution of the United States, in all respects, framed by a convention of delegates elected by the male citizens of said State, twenty-one years old and upward, of whatever race, color or previous condition, who have been resident in said State for one year previous to the day of such election, except such as may be disfranchised for participation in the rebellion or for felony at common law; and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualification herein stated for election of delegates; and when such constitution shall be ratified by a majority of the persons voting on the question of ratification who are qualified as electors for delegates, and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same; and when said State, by a vote of its Legislature elected under said constitution, shall have adopted the amendment to the Constitution of the United States proposed by the Thirty-ninth Congress, and known as article 14, and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and Senators and Representatives shall be admitted therefrom on their taking the oath prescribed by law, and then and thereafter the preceding sections of this act shall be inoperative in said State.

Congressional Temperance Society—Senator Yates "Goes Back on" Whiskey.

The first meeting of the Congressional Temperance Society was held on Sunday night in the hall of the House of Representatives. The galleries were not only densely crowded, but many were unable to obtain even standing room inside, and, therefore, remained at the doors.

The seats on the floor were occupied by members of Congress and others, accompanied by ladies. Senator Wilson presided, and spoke at the opening of the meeting, explaining the objects of the society, which were to put away from its members forever the intoxicating cup, and to commit themselves and all they were to the holy cause of temperance.

Representatives Price, of Iowa, and McKee and Senator Yates, of Illinois, also spoke. The latter created a good deal of amusement by giving his experience. He said he had been addicted to ardent spirits, but claimed no credit for it. His sprees had been not "long, but loud." The prairie did not furnish room enough for him when he made a forward movement. [Great laughter.]

The great Commonwealth of Illinois had, for twenty-five years, honored him in all public positions, and he had now promised that State, and all who loved him—Katy and the children—that he would never more touch, taste or handle the unclean thing.—He intended to fight it out on that line to the last hour of his existence. He would, to-night, as soon think of drinking fire as whiskey, for the latter is hell and damnation. He was as proud of having taken the pledge as he was of his wife and children, and this was the strongest expression he could make as to his sincerity.

Ten girls from the house of Little Wanderers, at New York, in charge of Mr. Van Meter, here entered the hall, and having been ranged at the clerk's desk, sung in plaintive and effective style, several songs, including "Father Come Home," with much applause.

Representatives Woodbridge, of Vermont, and Dodge, of New York, next addressed the meeting.

The *National Republican* pokes fun at the above mentioned meeting thusly:

A large number of old "consumers" were observed on the platform. Revenue on whiskey will be seriously reduced.

We understand that the restaurants at the capitol were closed during the temperance meeting.

Forney did not relate his experience at the temperance meeting. It was a disappointment to many. We hope he was not "illustrating the evil" of intemperance.

A Rebel General Speaks.

At a banquet in St. Louis the other day, General Jeff. Thompson, formerly of the rebel army, responded in a humorous speech stating that as far as he was concerned he had a very sad experience on the Mississippi. He saw many faces around the table. He had fought up and down the Mississippi on foot, on horseback and on deck, and was willing to own that he never got what he expected.

He continued at some length, and was vociferously cheered throughout. The Star Spangled Banner was then sung, all standing, and the guests dispersed with cheers for the perpetuation of the Union forever.

It is said that the Radicals are preparing for a concentrated attack on the President. It is thought the President will be able to hold his position.

Supreme Court—Opinions.

By PEARSON, C. J.—In Griffin vs. Griffin from Robeson. judgment affirmed. In Griffis, vs. McNiell, from Alamance, judgment affirmed. In State vs. Dula from Iredell, error, *venire de novo*. In State vs. Johnson, error. In State vs. Andrew and Isaac from Buncombe error, *venire de novo*. In Womack vs. Eacher, in Equity, from Gaston, decree for plaintiff. In the petition of Singletary vs. Whitaker, in equity from Beaufort, petitioner entitled to the relief prayed for. In Craige vs. Furguson, in equity, from Gaston, administrator can sell real estate. In Phelan vs. Hutchison in equity, form Mecklenberg. In Thigpen vs. Price, in equity, from Martin, no error in the order appealed from.

By BATTLE, J.—In State vs. Bell, from Carteret, judgment affirmed. In State vs. Wilson, from Watauga, judgment affirmed. In State vs. Tisdale, from Nash, judgment affirmed. In State vs. Blagge, from Craven judgment affirmed. In Leffler vs. Roland, in equity, from Stanly, decree for an account. In Dood *ex parte*, in equity, from Johnston. In Wiley vs. Wiley, from Caswell judgment affirmed. In Pendleton vs. Datlon, in equity, from Iredell, bill dismissed with costs.

By READE, J.—In Neely vs. Craige, from Iredell, no error. In Morris vs. Avery, from McDowell, error. In Atlantic bank vs. Frankford from Rowan, error. In State vs. Sears, from Wake, no error. In State vs Blalock, two cases, no error. In Moser vs. Bostain, in equity, from Catawba, directing an account to be taken. In Cotten *ex parte*, in equity, from Northampton, dismissing the petition with cost. In Elliot vs. Logan, in equity, from Cleaveland, directing a decree for plaintiff.

Major John L. Rhodes, New Hanover Co., obtained license to practice law in the County Courts.

The Recent Earthquake in Oregon.

The San Francisco *Bulletin* states that the following letter was written from Fort Klamath, under date of January 8th, 1867, 10 o'clock a. m., and is reliable:

This morning at daylight we were started from our sleep by the precipitate shock of an earthquake, immediately followed by a noise as of distant thunder. But in a little while quiet reigned, and every one was conversing and laughing heartily at the singular phenomenon; but our countenances soon underwent a serious change, for it began to grow dark; the whole heavens were full of a very black smoke or cloud; the air had a a sulphurous smell, and ashes of a brownish color fell as fast as I ever saw it snow. We had to use candles in the messroom. The most of us went in to breakfast, but had only got fairly into our seats when horror upon horrors! the earth seemed rolling like waves upon the ocean; every one was thrown to the floor, only, on regaining their feet, to be placed in the same position again, accompanied with the rattling of dishes, the crashing of window-glass, cracking of timbers of buildings, and the screams of the frightened. You could not imagine a more perfect chaos.—Some of us gained the door and such a sight as met our gaze as was probably never before beheld. The tall pines around the fort seemed lashing themselves into fury; the wagons in front of the stables were engaged in a pitched battle; horses and cattle were lying crouching upon the ground, uttering the most pitiful moans; dogs were howling, and the unearthly cries of the Kalamath Indians camped near the fort completed the scene. We imagined we were amidst the "wreck of matter and the crush of worlds." The suttler's store was thrown about twenty feet from its former position. There were no lives lost, nor any serious accident to any one, but there are quite a number of bruised shins and skinned noses. There is no serious damage to any of the buildings, all being log and frame houses; but I do not think there is a whole pane of glass left at the fort.

Wisdom and Wit.

A representative in his maiden speech on the floor of Congress, in reply to an opponent, by his telling hits and witty speeches and puns, kept the house in a roar of laughter for nearly half an hour, closing amid quite a demonstration of approbation, and as he thought, with great success. What was his astonishment, after having received the congratulations of several friends at the close of the day's proceedings, to be greeted by Mr. Benton, who, taking him aside, said:

"Sir, I have heard your speech. I have been here many years. This is your first session. Will you permit me to give you a bit of advice?"

"Certainly, sir," was the reply. "I shall be honored by your courtesy."

"Well, sir." said Mr. Benton, "your speech was exceedingly brilliant; it sparkled with wit; it was funny; they laughed heartily at it; but never do such a thing here again if you wish to advance as a statesman or a politician."

"What!" said the astonished debutant, "never make a speech?"

"No sir, not that; but don't make people laugh," replied Benton.

"Not make people laugh, Mr. Benton! Why it requires some genius to make a wit ty speech."

"True, sir; but the public has a poor appreciation of genius. You must gain a reputation for wisdom, not wit. You can gain a reputation for wisdom in Congress by not speaking a single word during the session."

"A reputation for wisdm o?"

"Certainly. Sit still and look wise.—Mankind is proue to reverence the solemn ass!"

A Paris correspondent guarantees the following: A Frenchman, a prisoner in Edingburg, having managed to *escape*, took refuge in the powder magazine.—When the authorities wished to seize him, they found him sitting on a barrel with a lighted match, and threatening to blow up the town. The authorities reflected prudently, and the result of their deliberations was that it would be better to starve the Frenchman out. But they reckoned without their prisoner, who loved good cheer and was determined to live well. In consequence, he called out that he would blow the town to pieces if he did not get three meals a day; he would write the bill of fare. Sawney succumbed, and the demands of the prisoner went on increasing. Sometimes he had a serenade under his window; then a review of the garrison; afterwards a sham fight, in which the troops representing the French army beat the Highlanders. At last he exacted that every Sabbath morning, before breakfast, the Lord Provost, in full uniform, should make his appearance and read him an address. This lasted until the allies entered Paris.

Suicide of a Federal Officer.

Lt. A. H. Newlin, of the 21st U. S. Infantry, was found dead in his bed at the Ballard House in Richmond on Monday morning. He had been stationed at City Point for some time, but his habits of intoxication becoming intolerable, charges had been preferred against him, and he went up to Richmond on Thursday to be tried before a military commission. Since he had arrived there he had been drinking very hard. A broken vial which was found in his room, clearly indicated that his death had been caused by an overdose of laudanum. He was a native of Philadelphia, and only twenty years of age.

It is understood that ladies in Indiana who wear No, 7, 8 and 9 boots, and who are largely in the majority, are opposed to the short dress style.

[REPORTED FOR THE JOURNAL.]

AMNESTY AND PARDON.

The State vs. William Blalock and others.

READE, J. There were sixteen persons indicted in this case. They were citizens of North Carolina, and during the war they enlisted in the Federal service, and engaged in a fight, with arms, with certain of the Home Guards in the Confederate service; and some were wounded on both sides.—Several interesting questions were discussed at the Bar as to the regularity of the enlistment and of the swearing and mustering in of the defendants, involving the general question, whether they were soldiers in the Federal service at all. And if they were, then, whether they were acting under orders, or were marauders.

But we are relieved from deciding these complex and embarrassing questions, by reason of the fact, that since the trial below, the Legislature has passed an act of Amnesty and Pardon, which embraces this case. We did indeed, so far consider the facts as to enable us to determine that the defendants are not *clearly* entitled to an acquital upon the merits, because, if they were, they would be entitled to a new trial to save the costs. But it is evident that their guilt or innocence is involved in much doubt, and we can see no good likely to result from another trial.

The conflict of arms and political disturbances through which we have passed, have troubled society to its deep foundations.—Those who are now neighbors have lately been in armed hostility and met each other with deadly purpose; property and lives have been sacrificed; those who were in command had to compel obedience, and were sometimes too imperious; those who had to serve were worn out and irritable, and sometimes resistant; the rapacious plundered and the innocent suffered. Every one has something unpleasant to remember, and many have wrongs to revenge; criminal prosecutions and civil suits necessarily spring out of such a past. The details, not to say the exaggerations of irritating facts; the conflict of witnesses; the discussions between zealous advocates; the denunciations of parties; the hazard of costs and damages, and the inflictions of punishments, would not only keep alive, but would cause these evils to spread into a pestilence. While so many have injuries to revenge, quite as many have errors to regret; and it will be a great public good if the past can be forgiven and forgotten. In view of this, the Legislature at its present session passed an act which provides:

An Act granting a general Amnesty and Pardon to all officers and soldiers of the State of North Carolina, or of the late Confederate States armies, or of the United States, for offences committed against the Criminal Laws of the State of North Carolina.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That no person who may have been in the civil or military service of the State, as officers or soldiers of the militia, officers or soldiers of the home guard, officers and soldiers of the local police, officers and soldiers of the late Confederate States, or as officers and soldiers of the United States, shall be held to answer on any indictment for any act done in the discharge of any duties imposed on him purporting to be by a law of the State or late Confederate States Government, or by virtue of any order emanating from any officer commissioned, or non-commissioned of the Militia or Home Guard, or local police of North Carolina, or any officer commissioned, or non-commissioned of the late Confederate States Government, or any officer or soldier of the United States Government. That no one of the above named officers or privates, who now are or may hereafter be indicted for any homicides, felonies or misdemeanors committed prior to the first day of January, A. D., 1866, shall be held to answer for the same, but shall be entitled to a full and complete amnesty pardon and discharge from the same upon the payment of the costs, provided they shall not be taxed with the payment of the costs upon any indictment preferred against them from and after the passage of this bill; or in other words, that no officers or privates in any of the above named organizations against whom no indictment is now pending, shall be liable to prosecution for any offence committed against the criminal laws of North Carolina prior to the first day of January, A. D., 1866, as aforesaid.

Be it further enacted, That in all cases where indictments are now pending, either in the County or Superior Courts, if the defendant can show that he was an officer or private in either of the above named organizations at the time, it shall be presumed that he acted under orders until the contrary shall be made to appear.

Be it further enacted, That all private citizens, who, on account of age or from any other cause, were exempt from service in any or all of the above named organizations, who for the preservation of their lives or property, or for the protection of their families, associated themselves together for the preservation of law and order, in their respective counties or districts, shall be entitled to all the benefits and provisions of this act.

Be it further enacted, That no person who may have been in the civil or military service of the State, or late Confederate States Government, or in the service of the United States Government, in either of the above named organizations, shall be held liable in any civil action for any act done in the discharge of any duties imposed upon him by any law or authority purporting to be a law of the State or late Confederate States Government.

Be it further enacted, That this act shall be in force from and after its ratification.

Ratified Dec. A. D., 1866.

Legislation of this kind has not been unfrequent, when occasions of great strife have made it proper. It is generally applied to whole classes for the purpose of restoring tranquility in the State. It is the gracious act of the Government towards its erring subjects. It is the most amicable prerogative of the Government. Law cannot be founded on principles of compassion to guilt. The rugged task of condemning and punishing is for the Courts; the gracious act of forgiving is for the Crown. 4 Blackstone, 401. Pardon and amnesty are not precisely the same. A pardon is granted to one who is certainly guilty, sometimes before, but usually after conviction, and the Court takes no notice of it, unless pleaded, or in some way claimed by the person pardoned; and it is usually granted by the Crown or by the Executive. But amnesty is to those who may be guilty, and is usually granted by the Parliament or the Legislature, and to whole classes, and before conviction. Amnesty is the abolition or forgetfulness of the offense; pardon is its forgiveness. The act under consideration is both. It is most benificently intended, as it is well calculated to lull strife to sleep.

It embraces all who may be supposed to have committed crimes or injuries by reason of their connection with the late war, whether they were officers or privates, or whether they were of the Federal or Confederate forces; and whether they have been convicted or not.

The propriety of embracing those of both armies is apparent from the facts of this case. Those who were engaged in the fight were neighbors, and must meet each other, and live together, either in forgetfulness and forgiveness of the past, or in hatred and strife. And besides, it is to be expected, as it is desirable, that those of the opposing sections, who are not now neighbors, will, in many instances, become so by removals, and the intercourse of a common people, and the dutiés of a common government, will often throw them together.

If there were doubts whether the act embraces these defendants, by reason of any technical defect in their enlistment into service, we should still be inclined to give them its benefits, as acts of grace are to be liberally construed in favor of the subjects, it being the highest respect to the government to suppose that its most amiable prerogative is not sparingly exercised. And it will tend much to induce repose to the public mind, that liabilities for war crimes, and redress for war injuries are not to be thought of, and need not be discussed, either in private or public.

Ordinarily, a pardon must be pleaded at the trial, or claimed after conviction, and a failure to do so is a waiver of its benefits. But a general act of amnesty and pardon, must be taken notice of by the Courts, like any other public law. It cannot even be waived by the persons embraced.

This opinion must be certified to the Court below, to the end that the defendants may be discharged upon the payment of costs.

We perceive no error in the record.

[REPORTED FOR THE JOURNAL.]

AN ACT

TO ABOLISH IMPRISONMENT FOR DEBT.

SECTION 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, it shall not be lawful to arrest or imprison any person upon any original writ, for debt, assumpsit, covenant or any other breach of contract, issuing out of any court of record in this State, or upon any warrant issuing from any Justice of the Peace, nor upon any *capias ad satisfaciendum* issuing from any court of record, or from any Justice of the Peace in this State.

SEC. 2. *Be it further enacted*, That all original writs shall only summon the defendant or defendants to be, and appear at the next Term of the Court, to which said writs are returnable; *Provided*, That if the plaintiff any action of debt, assumpsit, or covenant, shall make oath in writing, that the defendant or defendants are about to remove himself or property beyond the limits of this State, and shall, at the same time, swear to the amount that such person or persons are indebted to him, and that the same is justly due, then the plaintiff shall have a *capias ad respondum* or *ad satisfaciendum*, or a bail-warrant to arrest the body of such absconding debtor; *Provided further*, That if at any time after the issuing of the writ and before execution levied, the plaiatiff, his agent or attorney shall make oath before the Clerk of the Court from which the writ is issued, that the defendant is about to leave the State, then the Clerk shall issue an alias writ of *capias ad respondendum* or *ad satisfaciendum* as the case may be, and the defendant shall be required to give bail.

SEC. 3. *Be it further enacted*, That all laws and clauses of laws coming in conflict with this Act, be and the same is hereby repealed.

SEC. 4. *Be it further enacted*, That this Act shall be in force from and after its ratification.

Ratified this 21st day of February, 1867.

R. Y. MCADEN,
Speaker House of Commons.
M. E. MANLY,
Speaker Senate.

Terrible Tornado on the Mississippi.

A correspondent of the Vicksburg *Herald* describes a tornado which swept over the country about seventy-five miles from that place. He says:

One of those terrible phenomena, a water-spout, which appals the heart of the stoutest, passed through this neighborhood on Friday evening, February 1st. It came from the west, crossing from the Louisiana shore at the Morgan plantation, sweeping through Island 97, making a line through the timber some four hundred yards wide, and striking with full force the residence of Mrs. E. R. Nelson. In a moment every building on the plantation was prostrated, fences blown down, and everything that offered resistance to its fury swept away,—The rails of a fence, for a considerable distance, were blown probably for miles—as they have not been found on the plantation. A gentleman who witnessed its passage through Island 97, says he distinctly saw trees that had been wrenched from their trunks, hundreds of feet in the air.

The residence was apparently only touched by the outer portion of the column, but one row of the quarters and some other buildings were struck with full force, and the earth for a considerable space—over two hundred feet—gives evidence of a torrent of water having passed over it, removing everything and hurling through the air a heavy pair of timber wheels for the distance of sixty yards. Bricks have been found hundreds of yards from the dwelling. A wagon with a pair of mules attached, was carried in an opposite direction to the course of the wind some ninety feet, overturned and smashed, and the mules lying partially under the wagon. I could name many incredible things that must be seen to be believed.

Would to heaven I had only to recount the destruction of property in this communication. Mrs. Nelson has a large family of children and grand-children, numbering in all eleven. When Mr. Samuel Nelson saw the dwelling would be struck by the approaching tornado, he called to all the family to leave the house, but, unfurtunately, some of the younger members were in the interior of the house, and Mrs. Nelson, ever watchful over her helpless flock, went in pursuit of them, and they were found, after the storm had passed off, buried under the fallen timbers, within a few feet of each other. Mrs. Nelson only lived half an hour. The two children were found under the bricks of a fallen chimney, one of them seriously injured. Every member of the family were more or less injured.

MORE OF THE TORNADO.

Mr. M. H. Blackmore, who has just returned from a visit to Raymond, has kindly furnished us with the following particulars of the recent tornado in the vicinity of Raymond:

Mr. Baldwin Marshall's plantation, four miles from Raymond, was visited by the tornado on Friday evening. It swept away the workmen's quarters, killing a negro woman and child, eighteen head of cattle, four mules and horses; carrying one of the outhouses two miles off. The corncrib was blown away, not leaving a vestige of corn. Mr. Mullen's residence was blown away.—Up to last accounts he had not found it. One portion of the town of Raymond was struck by the tornado, and the residence of Mr. Robinson lifted from the foundation. The current is supposed to have been about one-eighth of a mile in width.

Vicksburg Herald.

Another Shower of Meteors Next Summer.

In a letter addressed by M. Levierer to Sir John Herschel, and published by the Paris Moniteur, the French astronomer states his views concerning the swarms of falling stars that will visit us on or about the 10th of August, which he says, move in orbits perpendicular to that of our planet, while those of the month of November move in a direction contrary to that of the earth; and asks Sir John Herschel on what grounds he thinks the latter fact to be contrary to the theory of the nebula.

Pittsfield, Mass., has a hen which was buried in the snow for three weeks, and came out alive, with only a slight chill.

For the Journal.

Railroad Meeting at Trinity College.

The citizens of Trinity College and vicinity, met at the College, February 16th, to take into consideration the proposed Railroad from the Coalfields to Mt. Airy.—James Leach was appointed President, and B. Craven Secretary of the meeting. After full discussion a committee that had been appointed for that purpose reported the following resolutions, which were unanimously adopted:

Resolved, First, That the proposed road is of the greatest importance to this section of the State, and that we will not only favor it by all proper means, but will aid in furnishing the money to build it to the utmost of our ability.

Second. We are confident that by far the best route is by way of the Factories, Trinity College, High Point and Salem. From Deep River to Salem, thirty-five miles, it will not be necessary to cross any stream of consequence; not a single bridge to be built, and the grading will cost less, perhaps, than the same distance in any other section of the State.

Third. By this route the road will pass through a section abounding in valuable freights, and will be on or near the "old Fayetteville line," the line of all the "Mountain trade" for the last hundred years, and no other route can have so many important points, and so many concentrating lines of travel and trade.

Fourth. This route would not only develop and be supported by the unequalled water power of Deep River, capable of running millions of spindles, and an incalculable amount of machinery of every kind, but would pass centrally through a section abounding in valuable metals. Within a radius of ten miles from Trinity are inexhaustible quantities of gold, copper, iron and lead.

Resolved, That the Secretary be requested to correspond with the President of the Western Road, and to take such steps as may be necessary to have the merits of this route duly represented.

Resolved, That these proceedings be published in the Raleigh, Fayetteville and Wilmington papers.

B. CRAVEN, Sec'y.

February 16, 1867.

A Spunky Bride.

The Lewistown correspondent of the *Herald* relates the following:

We hear of a case of remarkable bravery which happened in this place, or in the suburbs, during the first severe snowstorm in January. A couple of young aspirants, who thought it was 'not well for the man to live alone,' determined to make a change from single blessedness to matrimonial bliss, and accordingly started out in a hack to get 'spliced,' They proceeded on their journey to the parson's but the snow fell with rapidity, and the wind blew it with such force into every crevice and corner that the hackmen descended from his seat, and with all the gravity possible announced to the pair, who were somewhat chagrined because of the slowness of the coach, that it was impossible for him to proceed further, and he must return. But the young heroine was exceedingly wrathy at the course of things, and announced to her suiter that she *must* get to the parson's, and, suiting the action to her word, placed herself upon the box, and braving the cold northeast storm, placed her 'precious' load upon the doorstone of the parson's house."

Letter from an Old Telegraph Operator.

The Cincinnati *Commercial* publishes the following letter. The fact to which it calls attention is curious:

"As a matter of interest to your readers who notice weather reports from the west, I will state that in my experience as a telegraph operator for the past eighteen years I have noticed that nine out of every ten changes in the weather come from the west. I first noticed this while in Baltimore.—Oyster dealers in Cincinnati advised their correspondents in Baltimore of any change in the weather at Cincinnati. Eighteen hours afterward we would experience the same change at Baltimore. During three years' service in the Baltimore telegraph office I noticed that but one storm came in any other direction than from the west, and that was the day after the battle of McClellan before Richmond. The greatest and fiercest storm of wind and rain I ever experienced came direct from the South; and upon the hypothesis, about that time going the rounds of the press, that a great storm followed a great battle, I concluded that McClellan and Lee's artillery had something to do in sending us that storm.

"Since coming to Cincinnati I have noticed that all changes in the weather are first felt at St. Louis. Twelve hours afterward we experience the same change here."

An Alleged Murderer Arrested—The Crime Said to have been Committed Seven Years Ago.

Thomas Considine, alias Williams, was arrested yesterday, on a requisition issued by Gov. Fenton, on application of Gov. Crape, of Michigan, on a charge of murder alleged to have been committed seven years ago. It appears that in the spring of 1860, a row occurred near the city of Detroit, Michigan, between several Germans and Frenchmen, at a tavern kept by a German. The owner of the tavern was so seriously injured that he died soon afterwards. Considine was present and took part in the fight. On hearing that a man was killed he fled to this city, and changed his name to Williams. For two years he has been employed as hack-driver by Chester Lamb, at the St. Nicholas Hotel stables, and bore a good character. He will be taken back to Detroit for trial.—*N. Y. Sun.*

Good Girls in the South.

The Holly Springs (Miss.) *Reporter*, knows several girls in Marshall county, who were raised in the lap of luxury, with fine carriages to ride in, and money by the thousand to spend, before the war, who can now chop wood, drive a two-horse wagon; go to market, and do all the hosuework. They can go in the kitchen too, and prepare a dinner equal to a French cook.—And then call on them in the parlor, they will treat you to such music as would make the *houri* listen with wonder and admiration. These girls have cheerfully conformed to the change in their pecuniary circumstances. The *Reporter* thinks they are whorthy of being the wives of the greatest and best in the land, and so think we.

The Cotton Crop.

The Commissioner of Agriculture is in receipt of a letter from a prominent citizen of Virginia who states that after due inquiry he has ascertained that the cotton crop estimate of 1,750,000